

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oklahoma.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. ASHURST. I move that the Senate request a conference with the House of Representatives upon the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. OWEN, Mr. JONES of New Mexico, and Mr. GRONNA conferees on the part of the Senate.

ADJOURNMENT.

Mr. SWANSON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 55 minutes a. m., Saturday, March 1, 1919) the Senate adjourned until Saturday, March 1, 1919, at 10 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, February 28, 1919.

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

We thank Thee our Father in heaven, for every laudable ambition, every high and holy aspiration, which has and is now leading us onward and upward to larger intellectual, moral, and spiritual attainments; and we most fervently pray that Thou wilt continue to lead us as individuals and as a people to right living, that the differences between men, classes, and conditions shall be rightly adjusted, to the glory and honor of Thy holy name, in Christ Jesus our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

POINT OF NO QUORUM.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point that there is no quorum present.

Mr. GARNER. Mr. Speaker, will the gentleman withhold that point for a moment?

Mr. MOORE of Pennsylvania. Yes.

The SPEAKER. Did the gentleman from Pennsylvania withdraw his point?

Mr. MOORE of Pennsylvania. I withhold it temporarily.

The SPEAKER. The gentleman from Pennsylvania withholds his point temporarily.

EXTENSION OF REMARKS.

Mr. RAMSBER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting a memorial address on the late Col. Roosevelt, delivered before the joint session of the Iowa Legislature by Hon. N. E. Kendall, who was a Member of the Sixty-first and Sixty-second Congresses.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the Record by inserting an address delivered on the late Col. Roosevelt before the Iowa Legislature. Is there objection?

Mr. WALSH. Reserving the right to object, how long an address is this?

Mr. RAMSBER. It probably took 40 minutes to deliver it. Furthermore, under the circumstances under which it was delivered, it may be considered as an official tribute of the State of Iowa to Col. Roosevelt.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, I think every State may possibly be in the same position as Iowa. I do not believe in encumbering the Record. I shall have to object.

The SPEAKER. The gentleman from Ohio objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 69.

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document 1,500 copies of the Journal of the Fifty-third National Encampment of the Grand Army

of the Republic for the year 1919 not to exceed \$1,700 in cost, with illustrations, 1,000 copies of which shall be for the use of the House and 500 for the use of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

REPEAL OF LUXURY TAXES.

Mr. KITCHIN. Mr. Speaker, I desire to present a report (No. 1152) from the Committee on Ways and Means accompanying House joint resolution 439, for the repeal of the luxury taxes.

The SPEAKER. The Clerk will report it.

Mr. GARNER. He only desires it to be read.

The SPEAKER. The Clerk will report it.

Mr. KITCHIN, from the Committee on Ways and Means, submitted the following report:

The Committee on Ways and Means, to whom was referred House joint resolution 439, to repeal section 904 of the revenue act of 1918, approved February 24, 1919, having had the same under consideration, report it back to the House without amendment and recommend that the resolution do pass.

In presenting the conference report upon the revenue bill to the House the chairman stated that he would introduce a resolution to repeal section 904 of the bill after it became a law.

The purpose of section 904 was to encourage thrift and economy and to prevent extravagance as well as to provide revenue. It was understood that these consumption taxes were levied as war taxes only. This was a proper tax in time of war, but your committee believes that in time of peace it can not justify the placing of the burden (1) on the retailers of the country of keeping the necessary additional accounting system to collect the tax from the taxable sales in order to properly return the tax collected to the Government; or (2) such a heavy tax upon the consumer.

Your committee is unanimous in recommending the passage of this resolution.

Section 904 of the revenue act of 1918 reads as follows:

"SEC. 904. (a) That on and after May 1, 1919, there shall be levied, assessed, collected, and paid a tax equivalent to 10 per cent of so much of the amount paid for any of the following articles as is in excess of the price hereinafter specified as to each such article, when such article is sold by or for a dealer or his estate on or after such date for consumption or use—

"(1) Carpets and rugs, including fiber, except imported and American rugs made principally of wool, on the amount in excess of \$5 per square yard;

"(2) Picture frames, on the amount in excess of \$10 each;

"(3) Trunks, on the amount in excess of \$50 each;

"(4) Valises, traveling bags, suit cases, hatboxes used by travelers, and fitted toilet cases, on the amount in excess of \$25 each;

"(5) Purses, pocketbooks, shopping and hand bags, on the amount in excess of \$7.50 each;

"(6) Portable lighting fixtures, including lamps of all kinds and lamp shades, on the amount in excess of \$25 each;

"(7) Umbrellas, parasols, and sunshades, on the amount in excess of \$4 each;

"(8) Fans, on the amount in excess of \$1 each;

"(9) House or smoking coats or jackets, and bath or lounging robes, on the amount in excess of \$7.50 each;

"(10) Men's waistcoats, sold separately from suits, on the amount in excess of \$5 each;

"(11) Women's and misses' hats, bonnets, and hoods, on the amount in excess of \$15 each;

"(12) Men's and boys' hats, on the amount in excess of \$5 each;

"(13) Men's and boys' caps, on the amount in excess of \$2 each;

"(14) Men's, women's, misses', and boys' boots, shoes, pumps, and slippers, not including shoes or appliances made to order for any person having a crippled or deformed foot or ankle, on the amount in excess of \$10 per pair;

"(15) Men's and boys' neckties and neckwear, on the amount in excess of \$2 each;

"(16) Men's and boys' silk stockings or hose, on the amount in excess of \$1 per pair;

"(17) Women's and misses' silk stockings or hose, on the amount in excess of \$2 per pair;

"(18) Men's shirts, on the amount in excess of \$3 each;

"(19) Men's, women's, misses', and boys' pajamas, nightgowns, and underwear, on the amount in excess of \$5 each; and

"(20) Kimonos, petticoats, and waists, on the amount in excess of \$15 each.

"(b) The tax imposed by this section shall not apply (1) to any article enumerated in paragraphs (2) to (8), both inclusive, of subdivision (a), if such article is made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory, or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value, or to (3) any article enumerated in subdivision (17) or (18) of section 900.

"(c) The taxes imposed by this section shall be paid by the purchaser to the vendor at the time of the sale and shall be collected, returned, and paid to the United States by such vendor in the same manner as provided in section 502."

Mr. MOORE of Pennsylvania. On that, Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Pennsylvania reserves all points of order on the House joint resolution.

Mr. MOORE of Pennsylvania. On the resolution accompanying the report.

The SPEAKER. The report is ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make a point of no quorum.

EULOGIES ON THE LATE REPRESENTATIVE BORLAND.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that it may be in order on Sunday, March 2, between the hours of 11 and 12 o'clock, to deliver memorial addresses on the life, character, and public services of our deceased colleague, Hon. WILLIAM P. BORLAND.

The SPEAKER. The gentleman from Missouri asks unanimous consent that there shall be a meeting of the House on Sunday, March 2, at 11 o'clock a. m., and that the time from 11 to 12 o'clock be set aside for the delivery of memorial addresses on the life, character, and public services of the late WILLIAM P. BORLAND, a Representative from Missouri. Is there objection?

Mr. GARNER. Had not the gentleman better make that from 10 o'clock to 11? Would it not be just as convenient?

Mr. ALEXANDER. I doubt if it would be as convenient.

Mr. GARNER. That difference of one hour on Sunday would mean a good deal.

Mr. STAFFORD. I assume that the gentleman would have no objection to providing that it would not interfere with conference reports, so that there would be an hour for these exercises on that day at that time?

Mr. ALEXANDER. No; we realize the condition, and we do not want to interfere, but our plans are already made.

The SPEAKER. The gentleman from Missouri asks unanimous consent that on Sunday, the 2d of March, there be a meeting of the House at 11 o'clock a. m., and that the time from 11 to 12 be set aside for the delivery of memorial addresses on the life, character, and public services of the late WILLIAM P. BORLAND. Is there objection?

There was no objection.

CALL OF THE HOUSE.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from Pennsylvania makes the point of no quorum. Evidently there is no quorum present.

Mr. KITCHIN. I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House. Is there objection?

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Donovan	Hensley	Russell
Anthony	Doeling	Howard	Sabath
Austin	Doremus	Ireland	Sanders, La.
Ayres	Drukker	James	Saunders, Va.
Baer	Dunn	Johnson, S. Dak.	Scott, Iowa
Barkley	Eagle	Kelley, Mich.	Scully
Blrch	Emerson	Key, Ohio	Sears
Boeher	Esch	Kiess, Pa.	Shackelford
Britten	Estopinal	Larsen	Sims
Brumbaugh	Fairchild, G. W.	Lehibach	Slemp
Buchanan	Fields	Linthicum	Small
Burnett	Flynn	Lunn	Smith, Mich.
Candler, Miss.	Focht	McCormick	Smith, C. F.
Cantrill	Francis	McLaughlin, Mich.	Smith, T. F.
Carlin	Gandy	Miller, Minn.	Snoos
Carter, Mass.	Garland	Montague	Steele
Cary	Gillett	Morin	Stephens, Nebr.
Chandler, N. Y.	Goodall	Mott	Stiness
Clark, Fla.	Gordon	Mudd	Sullivan
Classon	Graham, Pa.	Neely	Sweet
Cleary	Gray, N. J.	Nelson, J. M.	Swift
Coady	Greene, Mass.	Nichols, Mich.	Tague
Connally, Tex.	Gregs	Nolan	Taylor, Ark.
Cooper, Ohio	Griffin	Park	Taylor, Colo.
Copley	Hamill	Parker, N. J.	Thomas
Costello	Hamilton, Mich.	Parker, N. Y.	Tinkham
Cox	Hamilton, N. Y.	Price	Waldow
Cramton	Harrison, Va.	Ramsey	Ward
Curry, Cal.	Hastings	Rayburn	White, Ohio
Davey	Haugen	Reavis	Williams
Davis	Hayes	Riordan	Wilson, Ill.
Decker	Heater	Roberts	Winslow
Delaney	Heintz	Rodenberg	Woods, Iowa
Dewalt	Helm	Rowland	Woodyard
Dillon	Helvering		

The SPEAKER. On this roll call 288 Members, a quorum, have answered to their names.

Mr. KITCHIN. I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

COMMISSION ON EQUALIZATION OF SALARIES.

The SPEAKER. In the legislative, executive, and judicial appropriation act there is a provision authorizing the Speaker to appoint a commission to equalize the salaries of employees.

The Chair appoints as members of that commission Messrs. HAMLIN, KEATING, and COOPER of Wisconsin. [Applause.]

Mr. MANN. Mr. Speaker, has the legislative bill been reported to the House as having been signed by the President?

The SPEAKER. It was sent to the President day before yesterday, so the Chair supposes the President has signed it.

Mr. MANN. We have not had any message announcing his signature, I think.

The SPEAKER. The Chair will appoint them over again when the message comes in.

CERTAIN HOMESTEAD ENTRIES.

Mr. McCLINTIC. Mr. Speaker, the bill (H. R. 9897) to authorize the contesting and cancellation of certain homestead entries, and for other purposes, has passed the House, and the Senate has returned it to the House with an amendment. I ask unanimous consent to take the bill from the Speaker's table and concur in the Senate amendment.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to take from the Speaker's table H. R. 9897 and concur in the Senate amendment. Is there objection?

There was no objection.

The Senate amendment was read.

The SPEAKER. The gentleman moves to concur in the Senate amendment.

The motion was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman asks unanimous consent to take from the Speaker's table the Diplomatic and Consular appropriation bill (H. R. 14516), disagree to the Senate amendments, and agree to the conference asked for by the Senate. Is there objection?

There was no objection; and the Speaker appointed as conferees on the part of the House Mr. Flood, Mr. LINTHICUM, and Mr. COOPER of Wisconsin.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. SHERLEY, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, with Mr. GARD in the chair.

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

HOUSING FOR WAR NEEDS.

The sum of \$32,700,000 of the unexpended balance of the appropriations heretofore made for carrying out the provisions of the act entitled "An act to authorize the President to provide housing for war needs," approved May 16, 1918, shall be covered into the Treasury immediately upon the passage of this act.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. Can the gentleman from Kentucky state how much of this fund has been expended?

Mr. SHERLEY. There were two appropriations made, one of \$60,000,000 and one of \$40,000,000, to carry out the housing program.

Mr. LONDON. Mr. Speaker, I make a point of order against the paragraph.

Mr. SHERLEY. The point of order comes too late. There has been discussion upon the provision.

Mr. LONDON. I do not believe it comes too late. As soon as I caught the purpose of the remarks of the gentleman—

Mr. SHERLEY. That was just too late. As soon as discussion of a paragraph has begun the point of order is too late.

Mr. LONDON. I was on my feet, expecting to make the point of order.

The CHAIRMAN. The Chair had recognized the gentleman from Massachusetts, and the proposition was under discussion.

Mr. SHERLEY. There were two appropriations made, one of \$60,000,000 and one of \$40,000,000 to carry out the housing program in connection with the war needs of the Government. A statement was made by the officials of the bureau under the Department of Labor that they would wind up their work and have a balance of something over \$30,000,000. We had a hearing, in which they presented their financial statement, and from that financial statement it was apparent that the amount here

proposed to be repealed was not needed, and that the balance was amply sufficient to carry out all the projects that they proposed to carry out.

Mr. WALSH. There was \$60,000,000 appropriated at first?

Mr. SHERLEY. Sixty million dollars first and forty million dollars afterwards.

Mr. WALSH. The \$60,000,000 was all expended, and there is this amount remaining from the later appropriation?

Mr. SHERLEY. The two amounts were both appropriated in the same fiscal year and constitute one fund.

Mr. WALSH. I withdraw my amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Legislative—

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 37, after line 8, insert as a new paragraph the following:

"To enable the superintendent of the United States Capitol Building and Grounds to revise the plans and estimate of cost for carrying out the extension of the Capitol Building in accordance with the report contained in House Document No. 385, Fifty-eighth Congress, third session, and supplementary reports, \$2,500, to continue available during the fiscal year 1920."

Mr. STAFFORD. I reserve a point of order on the amendment.

Mr. SHERLEY. In the Fifty-eighth Congress there was a commission appointed, consisting of Mr. Cannon, Mr. Hepburn, and Mr. Richardson, and of Senators Wetmore, Alger, and Gorman, to consider the question of the extension and completion of the Capitol Building. As Members are aware the Capitol Building has never been completed according to its original design. The central part of the building, between the two wings, according to the original plans should be brought farther out onto the Plaza. The work of this commission was very elaborate, with drawings and estimates as to cost. The report was the result, as it should have been, of the most careful consideration of matters affecting the Nation's Capitol in which we all take such very great pride.

The purpose of the amendment is to enable the Superintendent of the Capitol to revise the estimates and plans in connection with that improvement so that if Congress shall want subsequently to undertake this work and provide thereby not only for the greater beauty of the Capitol but for that change which is needed in connection with the Supreme Court and its activities, it would have the data when it comes to do it. It in no sense binds Congress to anything except that it enables the Superintendent of the Capitol to take these plans and bring them up to date as to the amount that will be required.

Mr. STAFFORD. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. STAFFORD. As I recollect, this proposition was before the House 12 years ago. The distinguished gentleman from Illinois [Mr. CANNON], then Speaker of the House, was its sponsor. I believe it involved an expenditure of \$1,750,000, or thereabouts, but there was at that time strong opposition to the project of extending the front of the Capitol. Do I understand the gentleman to say that the old Capitol is not erected according to the original plan?

Mr. SHERLEY. My understanding is that the front of the Capitol, as it now exists, does not represent the entire original plan.

Mr. STAFFORD. What is the reason for reviving this project when it has been dormant for 10 or 12 years?

Mr. SHERLEY. Speaking for myself, because it has been dormant. I think it highly desirable that the Capitol should not have as the center a plaster front. The wings are marble but the center is simply plaster. There is also a mechanical reason in connection with the foundation of the whole Dome of the Capitol. The science of building now has advanced very greatly and the knowledge of weights and strength is much more accurate. It is quite possible that sooner or later there will have to be some work done on the Dome of the Capitol, simply as repair work, and there are many who believe that the Dome ought to be in marble so as not again to be in a condition of imitation as to outward appearances.

There has been a bill introduced by the gentleman from Virginia [Mr. MONTAGUE], who has taken a lively interest in the Capitol and its beauty, and is pending before the Committee on Appropriations for an appropriation to carry out this work. I believe that the committee was not warranted at this time

in asking an appropriation of the House to carry out the work under the program nearly 15 years old. The committee thought it highly desirable that we have the Superintendent of the Capitol, Mr. Woods, to whom the Nation is indebted for the preservation of many things of architectural beauty and historic interest, to revise the figures and estimates and make a report to Congress, and then the future Congress can do what it chooses.

Under authority to extend my remarks I desire to insert the following letter from the Superintendent of the Capitol Building and Grounds upon this question of the extension of the Capitol, and also to include a portion of the report made by the joint commission, to which I have heretofore referred.

OFFICE OF SUPERINTENDENT
CAPITOL BUILDING AND GROUNDS,
Washington, D. C., February 19, 1919.

HON. SWAGAR SHERLEY,
Chairman Committee on Appropriations,
House of Representatives.

SIR: Some time ago I brought to your attention, personally, the question of the extension and completion of the Capitol Building, asking that you give it your consideration, and expressed hope that the subject might meet with your approval. I did all this on the basis of a former action on the part of Congress and subsequent report expressed in House Document 385, Fifty-eighth Congress, third session, being a report entitled, "Extension and Completion of the Capitol Building."

This report, presented to Congress on March 3, 1905, and referred to the House Committee on Appropriations, was the result of the deliberations of a joint committee named by Congress in the sundry civil act of April 28, 1904. The printed copy I inclose and hope that it may be of service to you. Indeed, I hope you may make it of record again, as the report is short and contains all the important data necessary to consideration of the subject in case you or your committee desire to consider it.

The action of the joint commission, as set forth in the report of March 3, 1905, was based upon a report of the consulting architects chosen by the commission, Messrs. Carrere and Hastings, of New York. These architects made a supplementary report to the commission respecting the reconstruction of the present cast-iron dome into one of marble. This supplementary report does not appear to have been presented in the commission's report to Congress. Nevertheless, it is worthy of attention, because the architects deemed the reconstruction of the dome as necessary to the completion, so to speak, of the Capitol. I hope it may be accorded a place in the RECORD, along with the report first alluded to. I therefore add it to the first report.

You will understand, of course, that the estimates of cost in these reports are subject to revision under the conditions of present market prices for material and labor.

A short time ago Hon. A. J. MONTAGUE introduced a bill providing for the extension of the Capitol, based on the reports heretofore named. I understand that this bill has been referred to your committee.

The whole matter has lain dormant since the year 1905. I therefore beg to recall to you our conversation, with the hope that the subjects of it may be taken up and considered by you and your committee, and that such consideration may result in an authorization to proceed with the work.

One recommendation in the report (page 3 of the report, paragraph marked 4), relating to the "placing a sculptural group in the House pediment," etc., has already been carried out.

Very respectfully,

ELLIOTT WOODS,
Superintendent United States
Capitol Building and Grounds.

[Document No. 385, Fifty-eighth Congress, third session.]

EXTENSION AND COMPLETION OF THE CAPITOL BUILDING.

Mr. Hepburn, from the joint commission, submitted the following report relative to plans for the extension and completion of the Capitol Building:

The joint commission established by the sundry civil act of April 28, 1904, to inquire into and report on plans for the extension and completion of the Capitol Building, beg leave to report.

The sundry civil appropriation act of April 28, 1904, contains the following provision:

"A joint commission composed of three Senators, namely, Hon. George P. Wetmore, of Rhode Island, Hon. Russell A. Alger, of Michigan, and Hon. Arthur P. Gorman, of Maryland, and three Members of the House of Representatives of the Fifty-eighth Congress, namely, Hon. Joseph G. Cannon, of Illinois, Hon. William P. Hepburn, of Iowa, and Hon. James D. Richardson, of Tennessee, which is hereby created, is authorized to inquire and report to Congress at its next session plans in detail and estimates of cost for the extension and completion of the Capitol Building, in accordance with the original plans therefor by the late Thomas U. Walter, with such modifications thereof as they may deem advantageous or necessary, and for each and every purpose connected therewith, including the employment of such professional and other services as they may deem requisite, and for such other expenses as said joint commission may authorize or incur, there is hereby appropriated the sum of \$50,000, or so much thereof as may be necessary; and the Superintendent of the Capitol Building and Grounds, under the direction and supervision of said commission, or such commission as may be authorized by Congress, shall conduct the making of all contracts for said construction, whenever and not before the same shall be authorized by Congress, after proper advertisements and the reception of bids, and said superintendent, subject to the direction and approval of such commission, shall employ such professional and personal services in connection with said work, when authorized as aforesaid, as may be necessary. Any vacancy occurring by resignation or otherwise in the membership of said commission shall be filled by the presiding officer of the Senate or House, according as the vacancy occurs in the Senate or House representation on said commission."

The joint commission as constituted by the act met on April 30, 1904, and organized by the election of Hon. George P. Wetmore, of Rhode Island, as chairman.

The firm of Carrere & Hastings, architects, of New York City, were appointed consulting architects to the joint commission, with instruc-

tion to study the problem involved and submit preliminary designs and also the necessary complete plans and estimates contemplated in the act creating the joint commission, the same to be based on the plan for an extension of the central east front of the Capitol, designed by the late Thomas U. Walter and dated February 20, 1865.

The consulting architects were also requested to consider and report on the question of—

(1) Refacing with white marble such portions of the present west front of the Capitol as are now built in sandstone, preserving the present design;

(2) Replacing with white marble the two broad flights of terrace steps on the west of the Capitol; and

(3) Placing a sculptural group in the House pediment to correspond in character, size, and finish with the sculptural work now existing in the pediment of the Senate wing.

The architects were directed to report as their work progressed, and during the past summer and autumn meetings of the commission were held to receive and consider preliminary reports.

Under authority of the sundry civil act of March 3, 1903, the Superintendent of the Capitol Building and Grounds had constructed a plaster model of the Capitol Building as it exists to-day, with movable sections showing two of the three plans of the late Thomas U. Walter for an extension of the central east front. The commission has had constructed in addition models illustrating the designs submitted by the consulting architects.

At a meeting of the commission on February 19, 1905, the consulting architects submitted their report (Appendix A). They recommended the adoption of a plan marked "Scheme A" as being in their opinion the most conservative and in every way the best solution of the architectural problems involved in correcting the defects of the east facade, to which Mr. Walter called attention in his report of 1865.

Scheme A provides for moving the entire central east front forward only so far as necessary (12 feet 10 inches) to bring the main wall of the building at the center, under the extreme projection of the Dome, and give the Dome the apparent support which it should have, at the same time adding one column on each side of the central pediment, broadening the pediment accordingly, so that it will dominate the two pediments of the Senate and House wings. It also proposes to reproduce the present east front in white marble. In this scheme no consideration has been given to increased space within the building. Nevertheless, the moving of the wall easterly 12 feet 10 inches gives on the main floor to the east of the Supreme Court a series of alcoves, back of the present screen, for retiring or robing rooms, and a similar series of alcoves to the east of Statuary Hall, as well as on the floor above. In the basement this additional projection would add to the size of the adjacent rooms, enlarging and improving them, especially in the case of the law library, under the Supreme Court. In the central section of the building two spacious rooms are obtained on either side of the main entrance, with windows opening on the portico, giving 12 additional rooms for committee or other purposes, those on the first and second floors being well lighted and all very accessible. The estimated cost of scheme A is \$500,000.

The architects also submitted an alternative plan, scheme B, as illustrating what they believe to be the least objectionable manner in which the central east front can be extended for the purpose of securing any considerable room space within the building.

In scheme B the central portion is projected 32 feet 6 inches easterly from the walls of the Supreme Court and Statuary Hall, a wide corridor east of the Rotunda, connecting the Senate and House wings, is provided, and the building will gain 54 large rooms, 18 on each of the three floors. The estimated cost of scheme B is \$1,075,000.

The joint commission recommends the adoption by Congress of—

(1) Scheme A, as to the extension of the central east front of the Capitol;

(2) Also recommends the refacing with white marble such portions of the present west front as are now built of sandstone, the present design to be reproduced in every detail;

(3) Replacing with white marble the two broad flights of steps on the west of the Capitol from the upper terrace to the foot of the embankment where the garden begins; and

(4) Placing a sculptural group in the House pediment to correspond in character, size, and finish with the sculptural work now existing in the pediment of the Senate wing.

The estimated cost will thus be:

East front extension, scheme A (see Appendix A).....	\$500,000
Reproducing the west front in white marble.....	425,000
Reproducing west terrace steps in white marble.....	50,000
Sculptural treatment of the east pediment of the House wing.....	55,000
Total.....	1,330,000

A statement of the expenses of the commission to date is attached hereto, marked Appendix B.

GEO. PEABODY WETMORE,
Chairman.

R. A. ALGER.
A. P. GORMAN.
J. G. CANNON.
W. P. HEPBURN.
JAMES D. RICHARDSON.

APPENDIX A.

REPORT ON THE EXTENSION AND COMPLETION OF THE UNITED STATES CAPITOL, 1904.

To the Joint Commission of the Senate and House for the Extension and Completion of the United States Capitol Building:

GENTLEMEN: We feel deeply the responsibility imposed upon us in reporting to your commission in regard to any changes to be made in the Capitol Building of the United States, a building so interesting from the artistic as well as from the historic point of view, and which, though it may have some architectural faults, is, nevertheless, one of the most monumental and beautiful edifices in this country. We find ourselves therefore hesitating whether we should advise the reproduction of the east front of the building in marble to harmonize with the rest of the Capitol, preserving the design practically as it exists to-day, or whether we should recommend enlarging the building in accordance with Mr. Walter's plans of 1865.

In his report as architect of the Capitol extension, dated November 1, 1864, he states:

"Now that the new dome and the wings of the Capitol are approaching completion, it must be apparent to everyone that the extension of the center building on the east to the line of the new wings becomes an architectural necessity. I have therefore prepared plans for thus completing the work in harmony with what has already been done, and will place them in the Capitol for future reference."

"I do not suppose, nor would I recommend, that any action be taken by Congress in reference to such an improvement until the war is ended and the financial conditions of the country becomes settled and prosperous; but inasmuch as it is my purpose to retire from these works as soon as the Dome is finished, I deem it incumbent upon me to leave upon record my views as to their final completion."

When we read this report accompanying his plans of 1865 we were impressed with the feeling that Mr. Walter had been influenced, perhaps under pressure from Congress, by the desire to obtain increased accommodations within the building, and that he would have recommended a somewhat different treatment if he had had under consideration only the strictly architectural necessities of the design. We feel very sure that it would be better to reproduce the present design in marble, as nearly as possible as it now stands, than to carry out Mr. Walter's plans of 1865 in their entirety.

It seems remarkable, when considering the history of this building, that so beautiful and harmonious a design should have resulted from the successive additions made to the original building, the result of which is certainly a monument to the skill of Mr. Walter. Whatever faults there may be in the design are distinctly the outcome of the limitations which were imposed upon the architect in adapting the new conditions to the building as it then existed. The Dome had to be designed in proportion to the enlarged building, and yet Mr. Walter found himself compelled to place this larger Dome upon the masonry foundations and walls of the smaller Dome. Owing to the fact that the foundations were built on most unfavorable soil, he very naturally hesitated to add upon these walls any unnecessary masonry weight or to disturb in any way the existing masonry where it could be used and adapted to the new conditions. He felt very strongly, however, as we do, the defect that on the east front the Dome does not appear to be supported; in fact, it overhangs the wall of the building and seems to rest partly upon the portico. He was right in wishing to have this defect corrected and, also, in wishing to add another column on either side of the central motive on the east front of the building, thus increasing the width of the pediment and making the central motive with its pediment predominate over the two wings with their pediments. While we feel, therefore, that the direct elevation of the east front of the Capitol recommended by Mr. Walter should be carried out in every respect, we are at the same time certain that could Mr. Walter have given more time and further study to this great problem, unhampered by practical limitations, he would have been finally persuaded not to project the central building with its pediment any farther east than absolutely necessary to give the Dome the apparent support which it now lacks.

In our judgment, one of the most impressive views of the Capitol is obtained when one sees the entire east front and the Dome together, which is only possible while standing fairly close to the building and to the east of either the Senate or House wing. Now, if the central building were brought too far forward it would mask the Dome and destroy this very picturesque and yet imposing view of the Capitol, and there would be no point from where the entire height of the Dome could be seen in its relation to the rest of the building, which is now possible on the east front.

We also believe that if this central building were carried far forward toward the east the architectural effect of the entire east front would be injured, even when considered without regard to the Dome. In a monumental scheme of this character three parts or architectural motives are much simpler, and a broader and better composition, than five parts. The extreme projection of this central building would completely destroy the present composition of three units, with its breadth and simplicity, and would not only produce a division with five members—the center, the two wings, and the intervening spaces—but would make these members practically equal in size and architectural value. That such a composition already existing on the west front is nevertheless rather imposing is to be ascribed to the fact that the Capitol is always so greatly foreshortened by the perspective, due to the fall of the land on the west—a result which could not be expected on the east front, where the foreground is level and the building can be seen in close proximity.

Another important reason for not making this great projection is that it would destroy the court-like effect of the east front where the two wings project beyond the simple and broad central building, one of the most picturesque and pleasing features of the Capitol wherever seen on the east, but especially when standing fairly close to the building and looking up at the Dome.

Lastly, it would seem most unfortunate not to be able, when looking diagonally toward this facade as one approaches from the north or from the south, to see the full length of the building as at present. The extreme projection of the central building would produce this result, for it would practically mask that part of the building beyond it, so that when approaching the Capitol from the south one would see the House wing and the central projection, while the Senate would be hidden from view by the projection of the central building. The same would be true with regard to the House wing when approaching the building from the north. We are, therefore, strongly of the opinion that if Mr. Walter had been entirely unhampered by practical considerations, and if he had written his report after the completion of the Dome and the two wings, he would have reached the same conclusion.

In view of these considerations, and after very careful study, we respectfully submit plan, Scheme A, as being, in our opinion, the most conservative and in every way the best solution of the architectural problems involved in correcting the defects of this facade, to which Mr. Walter called attention in his report of 1865.

Realizing, as already stated, that the composition of this facade, and especially the relation of wall surfaces to each other, should be changed as little as possible, we have moved the entire front of the central portion forward only so far as necessary to bring the main wall of the building, at the center, under the extreme projection of the Dome, and give the Dome the apparent support which it should have. At the same time we have added one column on each side of the main pediment, broadening the pediment accordingly, so that it will dominate the two pediments of the Senate and House wings, which Mr. Walter so strongly felt should be done.

In this scheme no consideration has been given to increased space within the building, and the problem has been solved strictly according to the architectural necessities of the case; nevertheless the moving of the wall easterly 12 feet 10 inches gives on the main floor to the east of

Statuary Hall a series of alcoves which can be used to advantage for the additional storage of documents, and to the east of the Supreme Court a similar series of alcoves, back of the present screen, for retiring or robing rooms for the judges. Similar alcoves would also be obtained in both cases on the floor above, which could be reached from the central portion of the building and used for various purposes. These changes would in no way affect any of the internal arrangements or even the decorations on the main floor.

In the basement this additional projection has added to the size of the adjacent rooms, enlarging and improving them, especially in the case of the law library under the Supreme Court.

In the central section of the building two spacious rooms are obtained on either side of the main entrance, with windows opening onto the portico, giving 12 additional rooms for committee or other purposes, those on the first and second floors being well lighted and all very accessible.

We strongly recommend that whatever alterations are decided upon should be substantially in harmony with this plan, scheme A, and that in no event should the central portion of the building be made to project any farther eastward than shown thereon.

We have prepared an alternative plan, scheme B, partly to illustrate our contention that the building should not be projected farther eastward than absolutely necessary to give an apparent support to the dome, and at the same time to show what, in our judgment, is the least objectionable manner, if the architectural beauty and simplicity of the east front are to be preserved, of obtaining additional space within the building while retaining to the greatest possible extent the present character of the east front.

In scheme B the central portion has been projected 32 feet 6 inches easterly from the walls of the Supreme Court and Statuary Hall, adding to the building 14 spacious and well-lighted rooms on each floor, 7 on each side of the main entrance. These rooms are approached by a corridor of ample width connecting with both the Senate and House wings, the rotunda, and other important circulations of the building. This corridor, besides giving the Senators and Congressmen direct access to their respective committee rooms, also provides a new communication from one end of the Capitol to the other, which would be both private and convenient.

In order to obtain this through corridor and at the same time avoid the deep-recessed courts which would then exist between the Senate wing and the central building on the one side and the House wing and the central building on the other, we have indicated on the plan, scheme B, entirely new sections. Each of these new sections connecting the central building with the Senate and the House wings would contain four additional large rooms on each floor, opening into a court, supplying light from the east to the present passages connecting the main building with the Senate and the House wings. The colonnade now existing at this point is moved forward to form the easterly facade of the new connecting sections.

By reference to the plan it will be seen that under this scheme 18 large, well-lighted rooms are obtained on the main floor and a similar number on the gallery floor, available for committee rooms or other purposes. Eighteen corresponding rooms are obtained on the ground floor, some of which can be used for committee rooms and others for the services of the building.

From the practical point of view this plan commends itself to us very highly, as it provides ample and well-lighted additional space without disturbing the present internal arrangements of the building or its decorations. It establishes, besides, a new and important circulation between the two wings, serving the different new committee rooms. It produces a more interesting and satisfactory facade than could be obtained under the recommendation made by Mr. Walter in his report of 1865. It would be simpler and more dignified, and would preserve the breadth and monumental character of the easterly facade; but it would be much less interesting and picturesque. It would be such a great change from the present facade, so familiar to our people, and which they have learned to love and venerate, that we make this suggestion merely to meet the condition which has been imposed upon us by your commission of reporting a scheme with added space. We hope, nevertheless, that this alternative plan, scheme B, will not be favorably considered.

In order to facilitate the study of this problem by your commission we submit herewith a plan of the main floor of the United States Capitol and a large photograph of the east front showing the building as it exists to-day; also a complete elevation, at double the scale of the plans, showing the easterly facade as it would look in direct elevation with the greater width of the pediment obtained by the addition of one column on each side of the present pediment. Sketch perspectives and complete models of this facade are likewise submitted, further illustrating scheme A, scheme B, and the east front as it exists to-day.

In the preliminary estimates, which we append to this report, as requested by your committee, giving the cost involved in the execution of either of the schemes proposed, we have also included alternate estimates for refacing the present central building of the east facade with white marble to correspond with the Senate and the House wings, the present design being, of course, reproduced in every detail. One estimate submitted is for the reproduction of the facade in every detail just as it stands; the other includes the suggested addition of two columns and the widening of the east pediment, otherwise reproducing the present facade.

Estimates are also submitted, first, for the probable cost of a sculptural group in the House pediment to correspond in character, size, and finish with the sculptural work now existing in the pediment of the Senate wing; and, second, for refacing with white marble such portions of the present west front as are now built in sandstone, the present design being, of course, reproduced in every detail.

In accordance with your request we also submit an estimate for replacing with white marble the two broad flights of steps on the west of the Capitol, from the upper terrace to the foot of the embankment where the garden begins. We are strongly of the opinion that an error of judgment was made in using a dark material for these steps, and that the present effect is most injurious to the general harmony, dignity, and repose of this impressive front. This work would not disturb any of the white marble ramps and balustrades, and contemplates only replacing the blue-stone steps and platforms with white marble.

In conclusion we should state that during the study of this important problem and the preparation of this report we have conferred from time to time with the Superintendent of the Capitol, and we are greatly indebted to him for his very valuable assistance.

We have the honor to remain, very respectfully, your obedient servants,

CARRÈRE & HASTINGS,
Consulting Architects.

NEW YORK, December 27, 1904.

ESTIMATE OF COST, UNITED STATES CAPITOL EXTENSION.

The following estimates include in each case all labor and material complete in place on the building:

EAST FRONT EXTENSION.

Scheme A (12-foot 10-inch projection).

Cut stone, including all steps (white marble)-----	\$590,000
Masonry and fireproofing-----	100,000
Steelwork-----	20,000
Roofing-----	15,000
All interior work-----	75,000
Total-----	800,000

Scheme B (32-foot 6-inch projection).

Cut stone, including all steps (white marble)-----	\$635,000
Masonry and fireproofing-----	200,000
Steelwork-----	50,000
Roofing-----	30,000
All interior work-----	160,000
Total-----	1,075,000

Reproducing present east front in white marble without any changes.

Cut stone, including all steps (white marble)-----	\$455,000
Masonry (entirely new wall)-----	60,000
Roofing-----	5,000
All interior work-----	30,000
Sculpture-----	15,000
Total-----	565,000

Reproducing present east front in white marble; also adding two columns and increasing the width of pediment.

Cut stone, including all steps (white marble)-----	\$450,000
Masonry (entirely new wall)-----	75,000
Roofing-----	5,000
All interior work-----	30,000
Sculpture-----	15,000
Total-----	575,000

Reproducing present west front in white marble without any changes.

Cut stone, including all steps (white marble)-----	\$325,000
Masonry (entirely new wall)-----	65,000
Roofing-----	5,000
All interior work-----	30,000
Total-----	425,000

Terrace steps, west front.

Marble steps-----	\$37,000
Removing old work-----	5,000
Masonry-----	8,000
Total-----	50,000

Sculptural treatment of the east pediment of the House wing, including the sculptor's honorarium for the model; supplying of the necessary marble, erected in place, and the execution of the carving from the artist's model-----	55,000
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Respectfully submitted by—

CARRÈRE & HASTINGS,
Consulting Architects.

NEW YORK, December 27, 1904.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. BLAND of Indiana. I wonder if the plan contemplates a change in the Goddess of Liberty that wears the Indian helmet.

Mr. SHERLEY. I do not know that that was contemplated at all.

Mr. BLAND of Indiana. The gentleman is no doubt familiar with the history of that statue.

Mr. SHERLEY. Yes.

Mr. KING. If the gentleman will pardon me, I desire to inform the gentleman from Indiana that if he will read the Standard Guide of Washington he will find that it is not the Statue of Liberty but the Statue of Victory Armed, and that is why she wears a helmet.

Mr. BLAND of Indiana. Then it is evident that the best authority in the city of Washington on that subject is wrong. I am informed that the Goddess of Liberty should have worn a liberty cap, but the liberty cap was objectionable to Mr. Jefferson Davis, then Secretary of War, who prescribed the Indian helmet.

Mr. KING. That is entirely erroneous.

Mr. STAFFORD. Mr. Chairman, when the matter was before the House there was strong opposition to adopting the report and extending the east front of the Capitol. This amendment merely proposes a revision of the estimates and enables the subsequent Congress to take such action as it sees fit on the report, and therefore I shall not press the point of order against the proposed amendment.

The CHAIRMAN. The point of order is withdrawn, and the question is on the amendment offered by the gentleman from Kentucky.

The amendment was agreed to.

The Clerk read as follows:

Legislative drafting service: For salaries and expenses of maintenance of the legislative drafting service as authorized by section 1303 of the "revenue act of 1918," the unexpended balance of the appropriation for this purpose for the fiscal year 1919 is reappropriated and made available for the fiscal year 1920, together with the further sum of \$20,000.

Mr. SHERLEY. Mr. Chairman, I offer at this point, after line 14, page 37, a new paragraph, which is the amendment I gave notice yesterday that I would offer in connection with the creation of a joint committee on financial methods.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Insert the following after line 14, page 37:

"That a joint commission of Congress is created, to be known as the joint commission on financial methods, which shall consist of six Senators, to be appointed by the President of the Senate, and six Members of the House of Representatives, to be appointed by the Speaker. Any vacancy arising shall be filled in the manner of the original appointment, but vacancies shall not be created by the expiration of the term in Congress of any Member.

"It shall be the duty of the commission to inquire into the methods of the Government in connection with each of the following financial functions and their relation to one another in order to effect a proper correlation thereof and to recommend such changes in present methods as may be deemed necessary:

"(1) The preparation of estimates of appropriations and data explanatory thereof and their transmission to Congress.

"(2) The consideration of estimates of appropriations and the preparation and consideration of appropriations by the Congress.

"(3) The disbursement and expenditure of appropriations by administrative officials.

"(4) The auditing of accounts arising from the disbursements of appropriations and the reporting to and consideration by Congress of expenditures of appropriations, with especial reference to the establishment of a system of auditing and reporting of expenditures that shall be responsible to the Congress.

"The commission shall report by bill or otherwise to the two Houses of Congress, with any recommendation it shall choose to make, at such early date as may be practicable, and shall have the right to report at any time.

"The commission is authorized to sit during the session or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such personal services and incur such expenses as may be necessary to carry out the purposes of this section. It may demand and shall receive full cooperation and assistance from the administrative branches of the Government.

"The commission may select its officers and may incur such expenses as may be necessary, to be paid on proper vouchers approved by it and evidenced by its chairman, not to exceed in the aggregate the sum of \$100,000, which is hereby appropriated and made available until June 30, 1920."

Mr. SHERLEY. Mr. Chairman, I shall not delay the House at this time with a discussion of a budget system for the Government. I have had occasion a number of times to speak on the subject, and I shall at the conclusion of my very brief remarks ask to have permission to extend them in the RECORD by making a somewhat more elaborate statement as to my own personal views touching the character of the reforms that ought to be undertaken. The amendment that is proposed provides a joint commission of six Members of the House and six Members of the Senate, the idea being that this whole matter ought to be one in which the legislative body should take the initiative and have the control of recommendations that should be made touching what to my mind is the most important reform that can take place in connection with the Government of the United States. It provides that the Members who are appointed shall not cease to be members of the commission by virtue of ceasing to be a Member of Congress. The idea of that was simply to have a continuity of work, and in that connection, for fear anyone might misunderstand my own attitude in connection with it, I shall cease to be a Member of Congress on the 4th of March, but it is not my intention to accept, even if it should be tendered to me, a place upon this or any other commission that may be created by the Government of the United States, so that the provision that is here is put here without regard to any personal desire of any Member.

Mr. Chairman, I came into this Congress nearly 16 years ago. One of the first speeches I ever made as a very young Member was to call attention to the needs to my mind of a budget system, of a system that would require both the Executive and the Congress to consider the estimates for appropriations as a whole before they undertook to consider details, and to match outgo and income with some degree of consistency.

This Nation has been so wealthy in the past that the sums that it could raise by taxation were in excess of even the extravagance of any administration or of any Congress; but the time has come when that is no longer true and when there will be required the highest order of statesmanship to match the revenues to the Government that can be obtained by proper taxation with the expenditures that should be made in economically administering that Government. It is a thing that can not be determined immediately. My personal hope is that if this should become enacted into law the members of this commission will from time to time make separate reports on special matters, in order that the Congress might digest the proposals that come. One of the things in particular that I hope will come out of the recommendations of this commission is an independent audit, subject to the control of Congress and not to the administrative branch of the Government. [Applause.] That was the great reform that Gladstone put into the parliamentary

procedure of England. It is the one thing that is essential in order to keep Congress advised of expenditures without compelling it to look to a lot of details; and, as I have repeatedly said to the House, the trouble is that with such a mass of detail as we have to consider here we do not have the time for the consideration of great policies of government, with the result that administrations determine policies and Congress simply votes money to carry them out. I believe that in a free country the real power of determining policy must rest with the legislative branch. There is a limitation upon what men can do, and if the Congress is required, in order to prevent waste, constantly to consider little items of detail in the various departments, it inevitably follows that it can not have the time for the consideration of those great, vital things that affect the very nature and structure of our Government. I hope that by a proper system of audit, of audit that is responsible to the Congress, we can have brought to our attention the things that need correction without the detailed consideration that is now required, and that that will give the leisure to enable this House—which, after all, is the real guardian of the liberties of the people, because it represents at short periods of time the popular will of the people—to take its true place in determining what shall be done and what shall not be done in respect to the great questions that confront this country and the world. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAWLEY. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. HAWLEY. I followed the reading of the amendment as closely as I could in the confusion existing in the Chamber. Does this amendment provide that the Members to be appointed in the Senate and the House shall be divided between the two political parties?

Mr. SHERLEY. It does not, and yet it is my idea that it should. Personally I have no objection to the insertion of an amendment that will so perfect the form. It is my belief that the Speaker of the House of Representatives ought to pick out six of the ablest men in the House—three from each side. This is not a matter of partisanship; it is a matter in which we are all equally concerned. Both parties are on record in favor of the reform. I think the Speaker ought to appoint three men on each side, and I hope the Vice President will do the same in the Senate, and that those men, having, as the amendment provides, a sufficient fund to get proper clerical assistance, and to have the departments subject to their orders touching help and information, may report from time to time to the Congress. The House of Commons in England recently created a committee for this very purpose, and one of the most interesting things is that in their last report—I think their ninth report—they are proposing a committee that bears a very close relationship to the Committee on Appropriations in this House, and the criticisms of their procedure are just as severe, if not more so, than any criticism I have heard against our own. And that, by the way, is a good illustration to those who think everything else is done better elsewhere than at home, of the old saying that far-off oxen have long horns. They have their problems there and elsewhere, and they are not solved. The problem of good government will never be finally solved. It will be a progressive matter. My idea and my hope is that there will be a commission of the character I have indicated.

Mr. HAWLEY. Mr. Chairman, will the gentleman offer such an amendment?

Mr. SHERLEY. I shall be happy to do so. Mr. Chairman, I offer to amend, in line 5, after the word "Representatives," by adding the words "three of whom shall be of the majority party and three of whom shall be of the minority party"; and I offer after the word "Senators," in line 3, the same amendment.

I desire, under leave granted to extend my remarks, to reprint a speech made by me in the House of Representatives on February 28, 1913, which, for lack of time now to prepare a more comprehensive statement of the necessity for the creation of the joint commission proposed by this amendment, sets forth the main defects which I believe to exist in our present system of dealing with estimates, appropriations, and expenditures:

SPEECH OF HON. SWAGAR SHERLEY, OF KENTUCKY, IN THE HOUSE OF REPRESENTATIVES, FEBRUARY 28, 1913.

"Mr. SHERLEY. Mr. Speaker, I desire to express to the Members of the House my appreciation of the opportunity afforded me to speak to them in these closing hours, when there is a

much of legislation to be enacted, and my only excuse is that the subject of my speech I believe to be of great importance to the House and to the country, and I desire the intelligent criticism of my colleagues touching the proposals that I shall make relative to the procedure of the House. Two days ago the President of the United States sent a message to the House on the subject of a national budget. I shall not undertake in the limited time at my disposal to deal with the many phases of so vast a subject as that or to consider the message itself, but beyond some incidental remarks touching the general subject of a budget I desire to address myself to the proposition of creating a budget committee for this House in order that there may be a more comprehensive and effective consideration of revenue and annual supply bills.

"The United States is peculiar among all of the great nations of the earth in that it has never developed what might be called a budget system of government. At the time of our independence, England had not developed that system of responsible government that has since been the model for so many other nations, and a budget as a method of fixing responsibility was, in its modern sense, practically unknown. And yet the elements of a budget system are found in the Constitution itself. Article I, section 8, provides that 'the Congress shall have power to levy and collect taxes, duties, imposts, and excises'; and section 9, paragraph 7, provides that 'no money shall be drawn from the Treasury but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be furnished from time to time.' By these provisions the legislative body, the only logical representative of a free people, is given primary and theoretically complete control over taxation and expenditure, but by virtue of other provisions in the Constitution giving to the President the power and duty to administer the law, with the right to appoint the chief administrative officers, such actual control over expenditures as is exercised by Parliament under the English system is impossible here.

"I shall not undertake now any discussion of the English system. It is sufficient to point out that its cardinal virtue lies in the fact that those who administer the laws are chosen from and are a part of the legislative body and hold their ministerial posts at the will of that legislative body.

"Yet constant reference is made to this system, and by some all proposals are to be measured by it. In so doing they seem to forget that government is a matter of evolution. Probably the cause of more failures to reform methods of doing government business—city, State, or National—is the fact that the man proposing the reform faces it from the outside rather than from the inside. Governments, like men, are always narrowed and restricted by habits—personal habits, if I may be pardoned for such a use of the word—habits that restrict their activity and their initiative just as they do every individual. Having in mind some of the habits of our Government, and particularly of this body, I have a proposal that, while not representing an ideal reform, is sufficiently simple, I trust, to enable it to be adopted and yet of sufficient importance to produce some real relief from our present intolerable system and in time lead the way to other reforms. But, before I read the proposal, let me very briefly outline our present practice, familiar though it is to most of you.

"The theory of the makers of the Constitution was a separation of the executive, legislative, and judicial departments, a separation that has continued and must continue in the absence of a radical fundamental change in our Constitution. And, as I have indicated, that makes unnecessary of consideration the many propositions that are presented that are predicated on the idea of a ministry that is the Government and comes out of and is answerable only to the legislative body; where they prepare and present a budget and on its legislative success or failure depend their ministerial lives. Here the President, chosen by all the people and absolutely free from accountability to Congress, save only through impeachment for malfeasance in office, selects his Cabinet officers, who by express constitutional prohibition may not be Members of Congress. These Cabinet officers are responsible to Congress in no true sense of the term, their tenure rests with the President, and while Congress may and does impose duties upon them, the proper performance of such duties can in no effective way be compelled by it. Among the duties so imposed is one requiring them to submit detailed estimates of needed appropriations for an ensuing year.

"The estimates must be submitted to the Secretary of the Treasury by the 15th of October each year and by him submitted to Congress upon its opening in December of each year. It is made his duty to assemble them and to present them to the Congress in the form that has been usual in presentation of the

estimates of the various departments; and if they are submitted to him in a form other than that in which they have heretofore been submitted, it is his duty to put them in the proper form, leaving to a footnote any suggested change in form. Recently it has been made also his duty to estimate the revenues of the ensuing year and the appropriations probably necessary for the maintenance of the Government; and if it is found that the appropriations will exceed the estimated revenues, then he shall certify that fact to the President of the United States, that the President in communicating to Congress may inform it how the appropriations can be curtailed or the revenues increased. Many other provisions of law exist touching the preparation of particular estimates, concerning which you are doubtless familiar. All of these various laws are ones limiting the discretion of the administrative officers. These limitations are frequently the cause of useless trouble and expense in particular cases, but Congress, having, as I have indicated, no real direct control over the departments and constantly finding abuses, is forced into continual limitations upon the discretion of all these officers. Congress, in brief, distrusts them, and they in return frequently assume an attitude of hostility toward its will.

"And this is a condition that is not simply the result of an improper presentation of estimates and expenditures, as stated by the Economy Commission in its budget report, but grows directly out of the facts I have just stated of Cabinet officers having a fixed tenure and a responsibility, not to the body granting the funds but to the executive who is to see to their expenditure. Now, in the preparation of the estimates of the departments each Cabinet officer acts on his own responsibility, and while they are all transmitted to Congress by the Secretary of the Treasury, he is simply the messenger for the various departments.

"John Sherman, one of the very greatest of the Secretaries of the Treasury that this country ever had, undertook to get the power to supervise the estimates of the other members of the Cabinet. But naturally every one of the other Secretaries objected to having a veto power given to anyone else over the budget that he presented, and so the matter failed. But Congress could well afford to give to one member of the Cabinet not only the power but to make it his duty to revise these estimates. And the reason of that would be this: You would then compel a certain consideration by the executive department of the budget as a whole. There is a tendency for each Secretary to consider the needs of his department only; and not unusually the sum total of the estimates to be submitted is found not by any consideration of the Government's power to raise revenue, not by any consideration of the relative merits of this department's demands as against that department's demands, but simply by the opinion that the head of each department has of its needs and then a sum in addition. And so I believe that one of the reforms that should be had and that could be had without in any way changing the present form of government would be to empower and direct the Secretary of the Treasury to revise the estimates. Of course we can not require the President. We can simply do as we did in this instance that I speak of, require the Secretary to communicate to the President that the President may, in turn, inform Congress. But the fatal mistake in the provision enacted was that it required the Secretary of the Treasury only to inform the President when he found the estimated revenues to be less than the estimated appropriations for the ensuing year. Now, the reason for it exists just as much in a case where the revenues of the country may be sufficient to meet the ordinary expenses as it does where we are likely to have a deficit in the revenues. And unless the duty is imposed upon him you will not have, other than through the initiative of some Executive desirous of bringing about reform, that supervision and consideration of the different items that go to make up a budget.

"I quite agree with the Economy Commission that the form in which estimates are submitted is not one calculated to give to Congress the information it most needs or desires. A rearrangement should be made of the estimates, but here it is well to bear in mind what I have said of the habits of government. This Congress has adapted itself to certain classifications. Some should be abolished, but some, though scientifically not defensible because of a fixed habit, should be retained.

"In some particulars we have a proper plan. The beginning of the fiscal year is near enough to the time when the estimates are submitted and near enough to the period at which those estimates are likely to have been enacted into law to bring about as much accuracy as possible in dealing with the future. In this regard I think the system is all that it should be. We have also passed stringent laws in regard to the creation of deficits, and have done much to require the keeping within the year of the expenses of the departments, and not to permit the

borrowing from a future year for the expenses of a current year, with the idea of enabling the Government and the legislative branch of it to know without serious difficulty what the appropriations for a particular year happen to be. But much more can be done along this line.

"But the great reform to be made is, as I have said, to compel consideration by the Executive and his Cabinet of the estimates as a whole. It may be that Congress will insist on having the original estimates of departmental chiefs, though I do not believe it need to, but certainly, if possible, the Executive should be required to assume the responsibility of a budget proposal, and Congress can then take the responsibility of granting, curtailing, or enlarging such proposal. As it is now, there is no true central executive responsibility. Much of this reform could be had without change of law on the initiative of the President. It is his duty to advise Congress from time to time, and as a basis for such action he can require any information desired from administrative officers.

"But it is not as to the administrative side of the budget that I desire to chiefly speak, but of its legislative aspect, though they are so dependent upon each other as to make it necessary to constantly consider both.

"The estimates sent to Congress, as you know, are distributed to the various appropriating committees and these committees from time to time report bills appropriating such sums as are considered proper for the various governmental departments.

"Up until the Civil War the Committee on Ways and Means had jurisdiction over both the levying of taxes and the appropriation of the revenues. It very properly, from the standpoint of theory, had charge of those two highest functions of government, the levying of taxes and the spending of money raised as a result of the levy. But in 1865, largely on account of the tremendous labors that were being imposed upon that committee, a division took place, and there was created the Committee on Appropriations, and given to it exclusive power over the appropriation bills, leaving to the Ways and Means Committee the power it now has of exclusively considering the revenue bills. In this country it has been supposed by some people that there was not that same need for having a central authority over matters of raising revenue and matters of expenditure that existed in other countries. To my mind that is a mistake. It has been true, and probably will be true for many years, that Congress will levy taxes frequently for purposes and reasons other than the raising of revenue. But it ought to be true that somewhere in a legislative body there should be some central authority to consider the levying of taxes and the raising of revenue in connection with the appropriation of moneys for the maintenance of the Government. Nothing is stronger evidence of a bad system of government than the piling up either of huge surpluses, that are a constant invitation to extravagance, or the failure to provide sufficient revenues to meet the ordinary and necessary expenses of the Government. And to properly prevent that there must be cooperation somewhere between that power that first formulates the bill to levy the taxes and that power that first formulates the bill disposing of the money so raised. But we have not only separated these two functions of raising revenue and of disbursing revenue, but in 1880 we took from the Committee on Appropriations control over the Agriculture appropriation bill; and that was followed in 1885 by taking from them control over the appropriation bills relative to the Army, the Navy, Indian affairs, foreign affairs, and rivers and harbors; so that to-day the Committee on Appropriations has control of 6 out of the 14 supply bills, and you have seven or eight different roads to the Treasury; and as Mr. Tawney, the former chairman of the Appropriations Committee, very happily said, 'As many byways as there are members of these appropriating committees.' The result of that has been that there is not now any consideration in Congress of the appropriations as a whole.

"Only in these closing days of Congress has any consideration been given to the total of expenditure that is to be made for the ensuing fiscal year. In other words, after the act has been done and is in large measure beyond recall, there then comes a summing up to determine whether or not it has been a wise or a foolish act.

"Now, a more indefensible system can hardly be imagined, and all will unite in condemning it. But what of the remedy? And that brings me to my proposal. I have undertaken to provide in the resolution that I will read in a moment a means to compel a consideration by this House, and through that consideration by the country at large, of the broad fundamental question of how much shall be raised and how much shall be expended during a fiscal year; and that having that, we will then be able to consider not simply the details of particular supply bills, as we do now, but how far we want to pursue a given policy of

government touching expenditures along one line or another. The resolution I have introduced is in language as follows:

"Resolved, That the following rule be added to the rules of the House, and to be known as section 6 to Rule X:

"6. There shall be a committee on estimates and expenditures, whose personnel shall consist of the following members: The chairman and three ranking majority members and the ranking minority member of the Committees on Ways and Means and Appropriations, and the chairman and the ranking minority member of the Committees on Rules, Agriculture, Foreign Affairs, Military Affairs, Naval Affairs, the Post Office and Post Roads, Rivers and Harbors, and Indian Affairs. The chairman of said committee shall be selected by the members thereof. Said committee shall, as soon after the convening of each regular session of Congress as may be, report to the House the amount of revenue probably available for appropriation for the next fiscal year, and apportion the amount to the several appropriation bills within the jurisdiction of the committees empowered by the rules and practice of the House to report appropriations from the Treasury. This report, or supplementary reports to meet exigencies of the public service, may be made on any legislative day after the reading of the Journal, and when agreed to by the House shall limit the totals of the appropriations reported by the several committees.

"The proposal is substantially this: That instead of undertaking what I believe to be the impossible task of bringing back to the Committee on Appropriations jurisdiction of all the supply bills, to create a committee composed in its personnel of the heads of the various appropriating committees. I gave to the Committee on Ways and Means representation greater than any other committee except Appropriations. I did that because the Committee on Ways and Means is properly charged with the great function of determining the amount of revenues that shall be available. I gave to the Committee on Appropriations a preponderance over other appropriation committees, not out of partiality for that committee, but because it has under its charge six of the great supply bills, whereas the other great appropriating committees have only one, except in the instance of the Committee on Military Affairs, which reports two supply bills. I also made as a part of that committee the chairman and the minority member of the Committee on Rules, because that is necessarily the great political committee of the House and should have a voice in a matter so fundamental as the arrangement of a budget.

"This committee would consist of 16 majority members and 10 minority members. It is urged that that is too large a number, but I desire to suggest to the House that it is really two committees, because the majority members would necessarily come to their conclusions in private, just as the majority members of the Committee on Ways and Means now do, and they would then present to the minority members their proposal.

"A counter proposal of the minority would be made, and those two proposals would come to the House for adoption or modification. These reports would bring to the attention of this House and require the consideration by it of the real purposes of government and of legislation, for in the final analysis nearly every proposition that comes before a deliberative body is one either of taxation or expenditure.

"Now, I insist that one of the most vicious things that has occurred in America has been the constant raising of revenue without any consideration of the needs of revenue for the purposes of government, and, as a result of that—having a country whose tax limit has never been even approached, let alone reached—we have at various times piled up great surpluses in the Treasury, a constant invitation to extravagance in expenditures.

"This report when adopted should be made a limitation upon the power of any committee to report. As an illustration, the committee on the budget estimates that the revenues will amount to a thousand million in the ensuing year and that that sum should be the amount proper to be expended. Having determined that general amount, it then allots it, and it says to the Army, 'You will have \$90,000,000.' It says to the Navy, 'You shall have a hundred and thirty million dollars.' Of course, I am speaking just in loose figures, and to the various other appropriating committees, you can appropriate such sums. The problem, then, that will confront the departments will not be simply how much can we expend—that has been determined—but how best can we expend that sum in the interest of the people of America? [Applause.] And instead of having the ingenuity of the department expended in trying to arrive at reasons for increased appropriations you will compel every department which comes with a particularly new or pet proposal of theirs to show something that can be eliminated or economized in in order to make room for the new proposal.

"Mr. HUMPHREYS of Mississippi. I would like to ask the gentleman a question there.

"Mr. SHERLEY. I yield to the gentleman.

"Mr. HUMPHREYS of Mississippi. Suppose the Congress should think it desirable to engage upon some enterprise; for instance,

if we should undertake to take the Mississippi River out of the rivers and harbors bill and undertake to prevent the floods in the lower river just as we undertake to dig the Panama Canal, would not the fact that the budget at the opening of the sessions had limited the expenses to a given sum for that year preclude the Congress from undertaking that work?

"Mr. SHERLEY. It would not necessarily, because the committee on the budget is given power to bring in supplemental estimates from time to time.

"Mr. HUMPHREYS of Mississippi. It would not prevent any committee from bringing in such a bill without the consent of the budget committee previously obtained?

"Mr. SHERLEY. It would as to any appropriation not provided for in the original report or some subsequent report of the budget committee. Now, the resolution I read I do not think is complete, nor do I think it is entirely in the proper form. I am sure that it should be supplemented by a rule which would make subject to the point of order any bill reported by any committee appropriating a sum that was in excess of the amount allotted for such purpose; so it would be within the individual power of any single Member to recommit to the committee reporting it a bill which violates the rule that the House had adopted. In addition to that I am inclined to believe we are going to be forced to the position now occupied in the English Parliament, where it is no longer in the right of a single member to make a motion to increase any item in any of the supply bills.

"Mr. FOWLER. The gentleman says you make subject to a point of order an appropriation in amount in excess of the budget allowance. Now, would the gentleman also make it subject to the point of order to appropriate a sum less than the amount of the budget allowance?

"Mr. SHERLEY. By no means. I would not undertake to say these committees in working out their details should not make economies beyond that suggested by the budget committee. The whole function of the budget committee is not to usurp the work now being done by the various appropriating committees, because, in my judgment, there is no limited number of men, such as would comprise a committee of working size, sufficiently industrious and sufficiently intelligent to do the work of preparing the detail of all the supply bills that are to be appropriated by this Congress, and that is one of my answers to the proposal frequently made that you should give back to the Appropriations Committee entire charge. I say, if we do that, it will result in dividing that committee simply into subcommittees, and that those subcommittees would be as distinct for all practical purposes as the various appropriating committees are now.

"Mr. HAMLIN. I am in entire sympathy with the gentleman, I think, and I believe he is along the right line; but it has been suggested—I have heard it suggested—that it might place too much power in the hands of a few men, and, as I understand the general scheme, this budget committee must report to the House, and the House must adopt its report before it is binding.

"Mr. SHERLEY. The gentleman is right. The budget committee's report would be binding only when approved by the House.

"Now, the criticism suggested by some and just mentioned by the gentleman really applies to the proposal urged in lieu of mine, of giving back to the Appropriations Committee exclusive jurisdiction of supply bills. That is what destroyed it before. That committee would determine what is the real function of the House alone to determine—the relative size of the various bills. Now, I believe in power and with it responsibility, but what I particularly want is the power of a party and not a committee of a party, and then, as a true sequence, party responsibility.

"In my judgment, a lot of the trouble in American public life now is not so much that a combination of men have too much power, but that many individual men have so much hidden power that no party can be held responsible by the American people. I am a believer in party government. I believe the present condition of affairs we are passing through in America is altogether a temporary one. You can not agree to the idea, that we of Anglo-Saxon stock have been bred to believe in, of a true representative government unless you have party responsibility, and one of the curious features of evolution in America is that everywhere else than upon the floor of this House the tendency has been more and more toward the centralization of power, and with it responsibility. What is the meaning of the commission form of government in cities? What is the meaning of the constant tendency to lessen the number of officials? It is to give to a limited number of people power, and then give to the great body of the people the right to make those men who have been given this power answerable and responsible.

"Now, we have developed in America a peculiar system, a system of committee government largely brought about by the tremendous detail of legislation that comes in a great country like this. The result is that every old Member realizes that in committee is done most of the great creative work touching legislation. That is a condition that we could not change now, if we would. But it ought to result not in taking away from committees power in the first instance, but in bringing their work before Congress, so that the whole body can pass judgment upon it and so as to create party responsibility. We had a debate in this House just a few days ago touching the size of the American Navy. That debate should not have happened on the naval bill. It ought to have happened in the consideration of a budget. This House ought to determine, the Congress ought to determine, in the first instance, how much it can and how much it is willing to expend for military purposes, whether for the Army or for the Navy, how much for peace, how much for the ordinary upkeep of the Government, and that determination should be made before we get into the details of bills.

"If that had been had, the question that would have been before this House for determination when the naval bill was up would not have been the size of the bill, but whether the particular items were proper items and whether that amount of money could better be expended in building a particular type of ship or another type or doing this particular work or that particular work. Instead of that you had a debate here that undertook, in a way, to review the general appropriations and whether we were running away beyond what Congress ought to appropriate during a single session.

"Mr. TILSON. Mr. Chairman, may I interrupt the gentleman?

"Mr. SHERLEY. Certainly.

"Mr. TILSON. I would like to ask just what part the gentleman has assigned here to the Senate? What would he do with the amendments brought in by the Senate?

"Mr. SHERLEY. That raises a question I expected to come to later, but will discuss now. It has been suggested that this plan would be of no avail because we fail to take into consideration the Senate, which is a body of equal power with this. I grant you that is a weakness, and it may be that the remedy for that is to have this committee on the budget to report a concurrent resolution, which shall be adopted by the House and sent to the Senate, and there considered by the Senate and if modified go through the ordinary course of conference, and finally be agreed to, and, when agreed to, shall mark the absolute limitations of the Congress.

"Some have suggested the idea of a joint committee made up of the House and the Senate, but knowing, as I said in the beginning, the habits of Governments, the habits of these legislative bodies, I did not believe it was practicable, at least at this time, to bring about such a joint committee of the House and the Senate. But this I do think would happen, even if we had no cooperation with the Senate: The very moment you focused public attention upon such a consideration as I have outlined would be the result of this budget committee's report, that moment you would stop most of the abuses that we all now recognize.

"Why is it the American people are so indifferent to expenditure? Is it that they are an extravagant people? Is it that they accept in a loose way the constantly repeated statement made here of a former Speaker, that this was a billion-dollar country, and therefore we should have a billion-dollar Congress? No. The reason the American people have heretofore not been interested in questions of expenditure is because they have never had brought to their attention in its broad aspect this question of expenditure. The only time the American people know anything about what we are going to spend is after we have appropriated it, just as this House only knows after it has ended its labors. If this House had known in advance it was liable to find itself with the total it now finds itself with, in my judgment you would have had a very different attitude touching these various supply bills, and when the people have learned of the expenditures there is no party upon whom can be rightfully placed the responsibility.

"While as to the personnel of this budget committee I am not indifferent, I am in no sense wedded to the proposal here made. It has been suggested by some that it would be well simply to have two majority members and one minority member of each of the appropriating committees. My own idea was that the Ways and Means Committee and the Committee on Appropriations were entitled to a larger representation, because they represented in their subsequent work larger interests than those of any other single committee.

"Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

"The SPEAKER pro tempore (Mr. FLOYD of Arkansas). Does the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. ALEXANDER. If the resolution were agreed to and this budget committee created, would it not devolve upon this budget committee the duty of hearing all the claims made for appropriations, and would they not duplicate the work of the several committees or else take over to themselves that entire work? How would you manage that?

"Mr. SHERLEY. I think not, although I want to say that the clerk of the Committee on Appropriations, for whose judgment I have a very great respect, and who has had an experience away beyond that of any man here, has thought that that would be the result. Here is what I think: I believe that it would be easily possible for such a committee, having as a part of its personnel men who by previous experience as chairmen of the various committees were familiar with details, to consider the broad questions without hearing all of the people that these various committees now hear or determining all the details. And I suggest a further thought that the trouble now is with all of our appropriations that they are not based upon what we ought to expend or upon what the country ought to be willing to stand for in the way of taxation, but they are based upon what men who have the expenditures to make say they need or desire.

"I believe the time is coming in America when Federal taxation plus that already made by State and county and city is going to be sufficiently burdensome for the membership of this House to consider how far it is warranted in levying a tax; and whenever you reach that point, then you have got to consider—truly consider—a budget. Heretofore, with the idea of doing welfare work by virtue of taxation, we have gathered together such huge revenues that we have never had to consider the question of retrenchment, except occasionally in times of depression.

"Mr. ALEXANDER. Mr. Speaker, will the gentleman yield?

"The SPEAKER pro tempore. Does the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. ALEXANDER. I simply want the gentleman from Kentucky to understand that I am in entire accord with the purpose that he hopes to accomplish.

"Mr. SHERLEY. I am obliged to the gentleman for his interest and inquiry.

"Mr. HARDWICK. Mr. Speaker, will the gentleman yield?

"The SPEAKER pro tempore. Does the gentleman yield?

"Mr. SHERLEY. Yes.

"Mr. HARDWICK. As I understand the gentleman's plan, it is that, with the exception of some Members from the Committee on Ways and Means and some from the Committee on Rules, the balance of the budget committee would be taken from the appropriating committees of the House. Of course, that is necessary to some extent; but does the gentleman consider that on this budget committee some balance or equilibrium ought to be maintained between the appropriating and the nonappropriating committees; or, in other words, between the fellows who want to hold things down and the fellows who want to increase appropriations? I ask the gentleman whether it would not be a good thing to hold a balance between the economists and the others who might not be economists?

"Mr. FITZGERALD. Where are they? [Laughter.]

"Mr. HARDWICK. I do not know. My private opinion is that they are not anywhere. [Laughter.]

"Mr. SHERLEY. The safety lies in the fact that you have to have the approval of the House of the budget committee's recommendation before it becomes effective. What I believe would happen is this, that the recommendations of the majority members of the budget committee would come before a caucus of that party and would be perfected and adopted in caucus, and that the minority proposals would come before the minority caucus and be approved there.

"Now, I know that there are men on this floor who absolutely differ with that idea, men who do not want what they say is caucus government. I answer by saying that what you need in America more than anything else is party responsibility. Who is answerable for large expenditures? We on this side load the blame on you, and you in return lay it on us. Each of us points to various and sundry votes that have been cast touching appropriations to support our position. But whenever a party comes in with a proposal touching the expenditures for the entire ensuing year, that moment it will make an issue, and an intelligent issue, on which the electorate of the country will determine who shall be given the reins of power.

"Mr. HAMLIN. Mr. Speaker, will the gentleman yield to me for an interruption?

"The SPEAKER pro tempore. Does the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. HAMLIN. I recognize that this is one of the most important propositions that has come before the House lately, and I am very much interested in it. I want to ask the gentleman this question: The country is growing from year to year, and of course appropriations and expenditures must keep pace with the growth of the country. Now, this budget committee, in parceling out the amounts of money that shall be permitted to be appropriated this year by the Naval Committee or the Military Committee or the Committee on Agriculture or any other committee, will have to take into consideration, will it not, the estimates of the different departments?

"Mr. SHERLEY. Yes; of course.

"Mr. HAMLIN. Would they not have to hear evidence?

"Mr. SHERLEY. They ought to take up the estimates in one sense. I believe, as I said in the beginning, that this is only a step toward a full reform. What you must have finally is to have the administrative end of the Government present its budget to the legislative end, a statement of what it is willing to stand sponsor for and what it considers to be needed, and then let the legislative body, as it alone can do, determine the policy of how far it will warrant the proposals of the administrative end.

"Now, as to the hearing of evidence. The gentleman has in mind that that would require a consideration of details, just as suggested by the gentleman from Missouri [Mr. ALEXANDER]. I answer no. I believe it is possible to bring before the committee the broad, general question of expenditures. They would not have to go into the details. For instance, take the Committee on Fortifications. I speak of that because as chairman of that subcommittee I am peculiarly familiar with it. That bill carries, as a rule, somewhere from four to seven or eight million dollars a year, dependent somewhat upon the amount of new work that is to be undertaken, the maintenance funds, and so forth. The budget committee would not be required to do the detailed work of examining that my subcommittee does in determining whether a particular amount of money is necessary to buy searchlights or range finders in order to decide whether this Government, as a matter of policy, should spend \$5,000,000 or \$7,000,000 or \$10,000,000 or \$15,000,000 on seacoast defenses.

"The trouble is that we have all gotten a reverse idea of the functions here. We have gotten the idea that the policy of Congress is to be determined by estimates. I insist that it is the duty of Congress to determine how much it can afford to tax the people of America; and, having determined that, then to apportion the amounts to be used for the various purposes that they consider requisite and necessary.

"Mr. HAMLIN. In that I agree with the gentleman from Kentucky absolutely; but it occurs to me that in the evolution of this thing finally it might result in the budget committee of necessity going into details, and I want to say that I do not believe I would be averse to that idea. I do not know but what all of these appropriation bills ought to be reported from one committee.

"Mr. SHERLEY. My own judgment is that it is absolutely impossible for one committee to do it.

"Mr. HAMLIN. With a large committee you could subdivide it.

"Mr. SHERLEY. If you subdivide it, you have all the ills you now have, of a divided control over the matter; and what I am after is not simply the consideration by the same individuals of each individual bill, but I am after forcing the consideration by the Congress, and through it by the country, of totals. That is the important thing that must be brought about if you are to have a reform.

"Mr. HARDY. I understand the gentleman's whole theory is that the Government, as a wise business concern, should start off by saying how much money it may be able to raise and spend during the year, and then say to the departments, 'Make your estimates within that total range.'

"Mr. SHERLEY. Unquestionably. As I have said, this theory found expression when the Ways and Means Committee had not only charge of the revenue-raising bills, but it had charge of all appropriating bills; and it was only at the time of the Civil War that that power was taken away from the Ways and Means Committee. It is interesting to remember why. It was because the work became so heavy that they could not do it. Then what happened? The Committee on Appropriations had the entire jurisdiction of supply bills, and there came a great fight on a great leader who was chairman of that committee, and it was believed that Samuel J. Randall had gathered to himself so much power as chairman of the Committee on Appropriations that in order to give the membership their proper share in the Government the Committee on Appropriations should be stripped of some of its power; and gradually, one by one, the appropriat-

ing powers that now find lodgment in these various other committees were taken from the Committee on Appropriations.

"Mr. HAMLIN. I understand that perfectly, I think; but here is the idea: How could this committee properly and fairly determine how much money the Rivers and Harbors Committee, for instance, could expend this year unless they went into the details of the work?

"Mr. SHERLEY. The thing to determine first is how much the Rivers and Harbors Committee shall spend; not how much they could spend.

"Mr. HAMLIN. I did not mean how much they could spend. I meant how much they needed and ought properly to have.

"Mr. SHERLEY. The Rivers and Harbors Committee is a very good illustration. River and harbor work, so far as it relates to contract obligations, ought to be determined by a settled policy that should bear a relationship to the necessary expenditures made along other lines of governmental activity. In other words, every question of expenditure is not simply a question of whether a particular thing is well to do, but whether that thing is well to do, having in mind the need or the desirability of doing some other particular thing. Therefore it would be perfectly easy for a budget committee to determine as a matter of policy that, say, \$50,000,000 should be expended for river and harbor work. And it would not need, in order to determine that question, to go into the subject of how much money was needed for the particular work on Red River or how much was needed on the Missouri or the Ohio, but it would determine that, considering the revenues, we can afford to spend only so much, and then it would properly leave it to the Rivers and Harbors Committee to work out the details.

"Mr. EDWARDS. Will the gentleman yield?

"Mr. SHERLEY. Yes.

"Mr. EDWARDS. Does not the gentleman think that perhaps we would be up against this proposition: The budget committee would say that it might expend, say, \$50,000,000 for the purpose of improving rivers and harbors, and there would be an incentive or inclination on the part of the committee to go up to it, when, in point of fact, the necessities might not require that amount?

"Mr. SHERLEY. That might be so; but they go up to that point and beyond it now. There would be this: If you carried along with this proposal the other proposal that it should not be in order, in the consideration of any supply bills, for a man to offer an amendment increasing the amount, the activity of the Committee of the Whole would be engaged in holding down the appropriation, whereas every man knows now that every chairman of a committee with a supply bill who comes out here does not have to fight to keep his bill from being reduced, but he has to fight to keep the Committee of the Whole from running away with it and increasing it. Why? Because the selfishness of individual men will always compel, whenever the House permits it, these men to increase expenditures.

"So you have to-day by the rules to protect the Committee of the Whole against the selfish opportunity of individuals. We are all alike; we live in an atmosphere where a man's success here is essential if he is to live. He does not have the opportunity a member of Parliament has, where he lives or falls with his party. Here every man has to show an individual activity under our present system, and as the result of a spur from behind he is constantly seeking to get something for his particular locality, and until you prevent that by the rules or cultivate a public opinion that will not judge Members by the amount of money they bring home to their districts, you will have the same tendency continued.

"Mr. EDWARDS. How many members does the gentleman say the budget committee ought to consist of?

"Mr. SHERLEY. I have stated 26 members.

"The SPEAKER. The time of the gentleman from Kentucky has expired.

"Mr. AUSTIN. Mr. Speaker, I ask unanimous consent that the time of the gentleman from Kentucky be extended 15 minutes.

"The SPEAKER. The gentleman from Tennessee asks unanimous consent that the time of the gentleman from Kentucky be extended 15 minutes. Is there objection?

"There was no objection.

"Mr. MURDOCK. Will the gentleman from Kentucky yield to me for a question?

"Mr. SHERLEY. Certainly.

"Mr. MURDOCK. Under our party government ordinarily the executive department is of the same party as the legislative department, or the majority in the legislature, and the executive department, by reason of patronage and other things, dominates more or less the legislative branch, and the origin to-day of appropriations is not generally on the floor but is in the departmental

offices. They do make extravagant demands upon the legislative committees. As I understand the gentleman's proposition, it is—and I think it has virtue—that the initiative of the amounts to be expended will be, in fact, in the legislative body and not in the executive body?

"Mr. SHERLEY. Not entirely. It is true that no legislative body can, by virtue of its very numbers, by virtue of the multiplicity of its duties, know as the administrative officers can know the particular needs of a particular service. They only know in the first instance, and there must of necessity be given to the Congress through the administrative offices this information, and that is the true function of the budget from the administrative end. But this is a legislative function; having obtained that information, to determine how far, considering that every expenditure represents a tax, the resources of the country warrant the levying of taxes to raise given amounts, and how far a particular bit of governmental activity, though it may be worth while as an abstract thing, is warranted, having in mind the burdens of taxation and the need of certain other things.

"Mr. MURDOCK. Will it not actually follow under that proposition that the executive department, having in mind certain necessities and referring that to Congress as the needs of the department, will determine the budget and the amount of money to be expended, and will you not be traveling in a circle?

"Mr. SHERLEY. Not entirely. In the first place, the time has never been when Congress absolutely accepted the recommendation of the department, and it never will be and it never should be; Congress should always exercise a supervision over it. The trouble now is that you get nothing from the departments that approaches a budget.

"The Executive has absolutely neglected one of the chief functions of an administrative officer, and that is not simply to see that moneys appropriated are properly and economically expended, but to determine the needs of the Government as a whole. As I stated in the beginning, estimates are now made by district and local officers. They go on up through the heads of the departments and finally to the Cabinet officers, and then are by them sent through the Secretary of the Treasury to Congress. You have no real premier of the Cabinet, and you have never had practically a consideration by the Executive of a budget as such.

"Mr. MURDOCK. But you do have a maximum demand from all departments.

"Mr. SHERLEY. Yes; but it largely represents an appetite rather than a theory of government.

"Mr. MURDOCK. Yes; and Congress largely follows it.

"Mr. SHERLEY. No; I do not think so; but it follows it somewhat, because its consideration of the estimates is just as faulty in method as the consideration by the President is faulty in the first instance. We, just as much as he, have failed to consider totals.

"Mr. AUSTIN. Mr. Speaker, will the gentleman yield?

"Mr. SHERLEY. Certainly.

"Mr. AUSTIN. When the budget committee makes its report to the House will the House have any right to increase the amount carried in the budget?

"Mr. SHERLEY. Unquestionably; and that is the debate that ought to take place on the floor at the beginning of Congress, as to whether the party charged with responsibility has made a sufficient allowance for agriculture, a sufficient allowance for the Navy and the Army, or for pensions or for any other subject of appropriation.

"Mr. AUSTIN. Suppose the budget committee should decide in favor of an expenditure of \$25,000,000 for public buildings and grounds, who would determine the items to make up that \$25,000,000?

"Mr. SHERLEY. The Committee on Public Buildings and Grounds.

"Mr. OLMSTED. Mr. Speaker, if a question as to what amount of money should be expended for agriculture or for the Navy, or for the Army were to be debated at the beginning of Congress, how would you determine how much is required, unless you first have hearings such as the Committee on Appropriations or the Committee on Agriculture has, where the heads of the departments appear?

"Mr. SHERLEY. I do not think that you could have the debate that is properly had in the consideration of the details of a bill, but I think that you could have a pretty general debate as to how well you are following out a policy touching any one question. Let us take the Navy, for instance. I use that because that is in the minds of us all. Suppose the administration determines as a governmental policy that the Navy should

be increased each year by the addition of two battleships, and we called that a naval program.

"The majority in control of the House brings in a proposal carrying so many millions of dollars for the Navy. Some gentlemen will ask those in charge of the bill if that contemplates the expenditure for one battleship or two battleships. The reply is made that the total is based on an expenditure for one battleship, and the question is asked why, and he is answered, then, because it is found that we have to expend so much for the Army and so much for agriculture and so much for the judiciary and so much for the ordinary upkeep, and so forth, that the probable revenues that the Government will have amount to so many millions, and that if we give to the Navy enough money to build two battleships we will have to cut some of these other items or increase taxation or have a deficit. That raises the question, then, not simply as to the desirability of two battleships, but as to the desirability of two battleships as against an Army of a certain size, as against certain expenditures for agriculture, and so forth.

"In other words, it brings a discussion of comparative merit rather than a discussion of particular items segregated from everything else.

"Mr. AUSTIN. Would it not reduce also the time consumed in this House in the consideration of appropriation bills?

"Mr. SHERLEY. I think it would; and that brings to mind another thought. I believe we have to get away from the plan that I have advocated and that a great many others have advocated heretofore of detailed specifications and limitation upon every appropriation. If the gentleman heard the first of my speech, he will recall that I said in substance that we treat every executive officer as if he were a suspicious character, and he treats us as if we were a lot of numskulls who knew nothing about the needs of the service, and out of that mutual suspicion comes half the trouble. Aside from the fundamental reason of absence of responsibility to us, one reason we have had to treat him as a suspicious character is because the form of making estimates and the form of reports of work done did not give us information as to whether it was well done or not, and so, for fear it might not be well done, we have taken away discretion and tied his hands, whereas the real system ought to be to give to an administrative officer some discretion and then require accountability.

"I do not wish to further delay the House, but I want to make this suggestion while it is in my mind. I do not suggest this plan as the ultima thule of government, and I do not suggest it as the best that can be had, but I submit to this House that we do need a change, as the present condition is intolerable [applause], and I ask my critics to suggest something better if they are not pleased with this, and I shall be perfectly willing to modify it; but the time has come for action on the part of Congress. Let us look to some system better than the antiquated method we now have.

"Mr. AUSTIN. I desire to ask the gentleman if the Committee on Appropriations have thoroughly discussed this plan and approved of it?

"Mr. SHERLEY. No; there are nearly as many opinions in the Committee on Appropriations as there are members of that committee. The other one most frequently urged and which is held by the chairman of the committee, Mr. Fitzgerald, and by the gentleman from Illinois [Mr. CANNON] is to return to the old condition where the Appropriations Committee had exclusive jurisdiction of all supply bills.

"I have already referred several times to that proposal and its fatal defect. To my mind, no plan is effective that does not provide for the consideration of the total sum to be appropriated prior to a consideration of individual supply bills. This is true, even though one committee have exclusive jurisdiction of supply bills.

"Now, if the advocates of the Appropriations Committee propose a submission by it to the House of a budget, then every argument they advance against my plan applies equally to theirs with the added difficulty of taking from other Members powers they now have and giving to the already overburdened members of the Appropriations Committee such additional powers.

"I do not for a moment believe that the members of these other committees will ever consent to give up their power over the details of these supply bills, but I do believe that without unduly disturbing existing conditions a budget committee as outlined can be formed.

"I am very much obliged to the House for its patience." [Loud applause.]

Under the leave granted me to extend my remarks I also desire to reprint for the benefit of the House an extract from the "Ninth Report of the Select Committee on National Expenditure," of the House of Commons, which is as follows:

The select committee on national expenditure have made progress in the matters to them referred, so far as relates to the procedure of the house in relation to supply and appropriation, and have agreed to the following ninth report:

FINANCIAL PROCEDURE OF THE HOUSE OF COMMONS.

1. Our terms of reference include a direction "to make recommendations in regard to the procedure of this house in relation to supply and appropriation, so as to secure more effective control by Parliament over public expenditure." We intrusted to a subcommittee appointed for the purpose the duty of ascertaining the opinions of those best qualified to speak upon this subject. The subcommittee decided to proceed by way of written question and answer. They framed a questionnaire, which was sent to Mr. Speaker, the chairman of ways and means and the deputy chairman, to the chancellor of the exchequer and the ex-chancellors, to the financial secretary to the treasury and the ex-financial secretaries, to certain other members of the house representative of parties, to the comptroller and auditor general, to certain government officials, and to a small number of others whose views it was thought desirable to ascertain. We present in the appendix to this report the questions and the replies, together with a synopsis.

Those questions and replies related to the normal conditions of times of peace, and this report relates to them also. There is nothing in existing circumstances, however, which would render our recommendations inapplicable. Their adoption is, in our judgment, at least as necessary during the continuance of war expenditure as it will be on the return of peace.

2. The replies show, with few exceptions, a consensus of opinion that the present system of parliamentary control over expenditure is inadequate. In that view we concur. Indeed, our terms of reference themselves, inviting proposals to render control more effective, indicate that the house is not satisfied with the existing procedure.

3. The committee of the whole house on supply has the name but has none of the methods of a committee. It was established in the days of recurring conflict between Parliament and the Crown as a device to secure freedom of discussion on matters of finance. The debates in the house itself were recorded in the journal, which was sometimes sent for and examined by the King; and they were conducted in the presence of the speaker, who in those days was often the nominee and regarded as the representative of the Sovereign. By going into committee under the chairmanship of a member freely selected the House of Commons secured a greater degree of privacy and independence. But a so-called committee of 670 members can not effectively consider the details of finance. The time at its disposal is closely restricted. It can not examine witnesses. It has no information before it but the bulky volumes of the estimates themselves, the answers of a minister to questions addressed to him in debate, and such facts as some private member may happen to be in a position to impart. A body so large, so limited in its time, so ill-equipped for inquiry, would be a very imperfect instrument for the control of expenditure, even if the discussions in committee of supply were devoted entirely to that end. But those discussions afford the chief, sometimes the only, opportunity in the course of the year for the debate of grievances and of many questions of policy. In the competition for time those matters of greater interest and often of greater importance usually take precedence, and questions of finance are crowded out. And even if all these obstacles are overcome, and some rare occasion arises on which the House of Commons discovers and debates a case where a reduction in an estimate appears desirable, and would be disposed to insist upon its view, the present practice, which regards almost every vote of the house as a vote, not only on the merits of the question but for or against the Government of the day, renders independence of action impossible. Under these conditions it is not surprising that there has not been a single instance in the last 25 years when the House of Commons by its own direct action has reduced on financial grounds any estimate submitted to it.

4. The presentation of estimates to Parliament serves, no doubt, a useful purpose. It secures publicity for the sums which they include and fixes responsibility for their expenditure. It has an indirect influence also on ministers and departments, since there is always the possibility that any item may be selected and challenged. The debates in committee of supply are indispensable for the discussion of policy and administration. But so far as the direct effective control of proposals for expenditure is concerned, it would be true to say that if the estimates were never presented and the committee of supply never set up, there would be no noticeable difference. Indeed, a large part of the estimates are formally passed year by year under the closure at the end of each session, without even the appearance of discussion; while every item in every estimate, whether closed or not, emerges from the parliamentary process in precisely the same shape as it entered it. Yet it can not be contended that there is never an occasion in any year or under any head on which proposals for expenditure could with advantage be reviewed and amended.

5. The estimates undergo in normal times a close examination by the treasury before they are presented. But the treasury is itself part of the executive. When any departmental minister has secured the personal assent of the chancellor of the exchequer to any proposal which he desires to insert or to retain in his estimates, the treasury is necessarily silent. Treasury control, invaluable as it is up to a point, is not a substitute for parliamentary control.

6. The comptroller and auditor general, on the other hand, is an officer of the House of Commons itself. But his scrutiny of expenditure, though exhaustive and independent, is a scrutiny of accounts and not of estimates, of expenditure which has already been incurred, and not of expenditure which is contemplated. He inquires whether the sums included in the accounts have actually been spent and whether the spending was regular. It is not within his province to consider whether it was desirable or necessary, although it is regarded as his duty by the public accounts committee to draw attention to expenditure which is wasteful or extravagant.

It is recognized on all hands that the work of the comptroller and auditor general and of the public accounts committee, which examines and reports upon the results of his inquiries, is highly efficient and useful, but no one would suggest that it covers, or could be made to cover, the whole field.

7. It is sometimes urged that the only safeguard against extravagance likely to be successful is to be found in the ministers and officials of the spending department themselves; that Parliament should be content to rely upon them; that any attempt at direct control would be ineffective, because it could not be sufficiently painstaking and minute, and harmful, because ministers would feel that the final responsibility

had been transferred from their shoulders, and that they were no longer expected to exercise a meticulous care.

We can not subscribe to that doctrine. It would convert the responsibility of ministers into irresponsibility. It contemplates an executive which would be autocratic so far as expenditure is concerned, subject only to audit in order to insure honesty, and to the extreme measure of dismissal in case of gross abuse. If, however, it is answered that it is not intended to push the doctrine so far, and that the present practice provides the right admixture of ministerial responsibility and parliamentary control, we would express the conviction that the House of Commons ought not to accept a system which recognizes its authority, so long as it is never exercised, and concedes the appearance of control on the condition that it is not made a reality.

Nor can we agree that ministers and their officials—on whom, in the first instance, it is true, dependence must be placed for the avoidance of waste—would be likely to become less careful if they knew that their estimates would undergo in Parliament an effective instead of an ineffective review.

To regard the executive, whether it be the Sovereign or whether it be a ministry dependent upon Parliament, as the sole authority to limit the sums which ought to be provided for each branch of the public service is contrary, in our judgment, to the principles on which the constitution is based. We consider that the House of Commons, as the representative of the taxpayer, should reassert, fully and effectively, its right of restricting the amounts to be allotted for each head of the national expenditure, and we recommend the adoption of the measures to that end, which we now proceed to detail.

STANDING COMMITTEES ON ESTIMATES.

8. The great majority of the replies to the questions which were circulated favor the principle that the estimates should be subjected to examination by a select committee. Among those who express that view are all the officers of the house who were consulted—Mr. Speaker, the chairman of ways and means, the deputy chairman, and the clerk of the house. We are unanimously of the same opinion.

We recommend that at the beginning of each session there should be appointed, by the customary procedure, two standing committees on estimates, each consisting of 15 members. After some experience of the working of these committees, it may be found desirable to add a third.

We have considered the alternative of a single committee with a larger membership, which should divide itself into a number of subcommittees, each dealing with one department or group of departments, but we have arrived at the conclusion that for the purpose in view the balance of advantage lies against this method.

We have considered also whether the committees which will deal with estimates should also deal with accounts, the public accounts committee being amalgamated with them. We are of opinion that the two matters should be kept separate, and that the public accounts committee should continue with the same composition and functions as hitherto. It would be advisable, however, for some of its members to be appointed to serve on the estimates committees also, in order that the bodies should be in close touch with each other's work.

9. The annual estimates should, without special motion, be subject to the examination of the estimates committees A and B, the allocation of classes of votes to one or the other being made by the chairman of ways and means.

10. Any supplementary estimates for the current year introduced at the beginning of the session could not as a rule be examined by the estimates committees on account of the shortness of the time usually available before the 31st of March, by which date they must be passed through all their stages. But in special cases, and if time allowed, the house might desire them to be so referred. Supplementary estimates introduced in the latter part of the session should follow the normal course and be referred to the committee. We desire incidentally to emphasize the importance of limiting the use of supplementary estimates to a minimum.

11. It would be the duty of the estimates committees to consider such votes, and in such order as they might think fit, and to present reports upon them from time to time to the house. We are of opinion that special attention should be given to any items which had first been voted in the previous year as supplementary estimates without having been reported upon by one of the committees. The reports should include an account of the action taken on any recommendations in the previous year's report.

12. It should not be within the competence of the committees to make any recommendations inconsistent with the policy implied in the estimates. Policy is a matter for the Government and for the house itself and not for standing committees on estimates. To transgress this rule would be to invite controversy within the committees and to endanger the success of their working.

Although "policy" can not be defined in precise terms, the experience of the estimates committee set up in 1912 and of our own committee—from both of whose references the consideration of matters of policy was specifically excluded—shows that in practice the line is not difficult to draw.

13. The House of Commons itself has foregone the power, and does not now seek the power, to increase the estimates submitted to it on behalf of the Crown. Its committees can not possess a larger authority. The duty of the estimates committees would be to suggest desirable economies, and they should not be authorized to propose increased expenditure. There may no doubt be cases, however, in which it might be proper to indicate that a larger capital expenditure, for example, upon the plant of some Government establishment, would result in an economy through a more than equivalent saving in working expenses.

14. The estimates committee of 1912, 1913, and 1914 was appointed in pursuance of a recommendation of the select committee on national expenditure of 1902-3. It rendered useful service, but its usefulness was impaired by three causes.

First, the task imposed upon it was too large for a single body to perform. It was able to consider each year only a fraction of the estimates; its examination of the votes of any particular department was rather an exceptional incident than a normal part of the financial procedure. The departments knew that once their estimates had been considered it would probably be from 7 to 10 years before they were considered again. Our proposals for two committees—and, if experience shows it to be desirable, for the addition of a third—should go far to remove this drawback, particularly if each of the committees were expected to give as much time as might be necessary to enable it to cover each session a large part of the whole field.

Secondly, the previous committee, in common with the house itself, was handicapped by the form in which the estimates have been framed. As to this we have proposed large changes in a separate report, to which we shall refer later.

The third drawback was not the least serious. The estimates committee of those years had no professional assistance at its command. Its inquiries, necessarily, were to a great extent haphazard. The annual estimates cover the whole sphere of national government; they enter into minute detail; to comprehend them fully is a science in itself. The public accounts committee is aided in its investigations by the reports of the comptroller and auditor general, who in turn is supplied with information by a large staff in close touch with every branch of administration. The previous estimates committee had no such technical advice. We regard it as essential that this deficiency should be made good.

We have considered whether the duty of assisting the estimates committees might not be added to those already performed by the comptroller and auditor general and his staff. This course would have the advantage of making use of existing machinery. But we are clearly of opinion that it is inadvisable, for the reason, among others, that it would introduce undesirable complications into the relations between the comptroller and auditor general and his department on the one hand and the treasury and the spending departments on the other.

We have considered also whether the duty might not be allotted to the treasury itself. To this there is the objection that every estimate before being presented to Parliament has already been submitted to the treasury and passed. Once its sanction has been given the function of the treasury must rather be to meet and answer criticism than to stimulate and direct it. It would be desirable, no doubt, that officers of that department should be ready to attend the meetings of the committees whenever necessary, in order to furnish them with information; but they would be placed in an impossible position if they were expected to suggest the points, which might usefully be considered with a view to amendments, in estimates which had already been approved by the department of which they were members and by the ministers under whom they served.

We therefore recommend that the committees should be assisted by an officer of the house, to be appointed for the purpose, with the title of examiner of estimates. His duty would be to collect from his own study of the estimates, from information obtained officially or semi-officially, from communications received from members of the house or from the public, facts which would indicate to the estimates committees useful lines of inquiry. He would stand in much the same relation to them as the comptroller and auditor general stands to the public accounts committee. His salary would be borne upon the vote for the House of Commons offices. It would not be necessary to attach to him any large specialized staff, but experience might show that it was desirable to furnish him with one or more technical assistants, and the clerical establishment of the house would render such service as might be required.

15. There remains the question of the opportunity to be provided for the consideration by the house of the recommendations of the estimates committees.

It has not been proposed in any quarter, and we do not suggest, that the decisions of the committees should have any binding effect. The House of Commons would not delegate to them any of its powers in matters of finance; their province would be limited to inquiry and report. But no doubt in many cases the departments concerned would accept and act upon the view expressed by the committees, just as the recommendations of the public accounts committee and of our own committee with respect to current expenditure are frequently welcomed by the Government and carried into effect, without it being necessary to occupy the time of the house with their discussion. It is essential, however, if the work of the committees is to be effective, if their influence is to be maintained, and if they are to attract the service of able and active members of the house, that their recommendations, when not agreed to, should be given the publicity, the full consideration, and the opportunity of eliciting a wider support, which can only be obtained by debate in the house itself.

The most suitable occasion for such a purpose is obviously the day when the estimates of the department concerned are taken in committee of supply. Several considerations, however, have to be borne in mind in this connection. Supply days are utilized also for debates on policy and on administration, and opportunities for such debates are indispensable. The department whose estimates are to be taken on a particular supply day is selected in accordance with the desires of the house, so as to enable the matters to be brought forward on which discussion is thought to be specially needed at that time. It is a convenient practice for the consideration of supply to be distributed over the session, and for one day in the week to be devoted as a rule to that purpose. Any arrangements that are made to secure the due consideration of the recommendations of the estimates committees should involve as little disturbance as possible of those arrangements.

16. We propose—

(1) That the estimates should be presented and the estimates committees set up at the earliest practicable date after the beginning of the session.

(2) That the committees should indicate to the chairman of ways and means at an early stage in their proceedings the classes or votes, if any, on which they did not propose to report that session, unless unforeseen considerations should arise which would lead them to do so.

(3) That the committees should consider the estimates of the several departments in such order, so far as possible, as would be most likely to meet the convenience of the house, and should present their report on each as soon as their inquiries with regard to it were completed.

(4) That the selection of the votes to be taken in the house on any particular supply day should be, as a rule, from among those on which the estimates committees had already presented reports or had intimated that they would be unlikely to report that year. This practice should not, however, preclude other votes being selected if there were a strong desire to debate matters of public importance relating to a department on whose vote a report from the estimates committees was expected but had not yet been received.

(5) That in the latter case either—

(a) The vote itself should not be finally passed, but the discussion of it should be deferred. Another day should be given if a report subsequently presented by one of the estimates committees contained recommendations needing discussion. If there were no such report, the vote would be passed under the closure at the end of the session; or

(b) A supplementary estimate for a token vote of £100 should be proposed at a later date in order to afford an opportunity for further debate if a report from an estimates committee made it appear desirable.

It should be the recognized practice of the house that the estimates committees should have the right to require that special opportunity should be afforded for the consideration of any of their reports which had not been discussed in ordinary course, subject to the limit that not more than two days should be asked for in any session for this purpose.

(3) That where recommendations from an estimates committee were before the house in time for the supply day on which the vote was taken to which those recommendations referred, the chairman of ways and means should endeavor so to arrange the course of the debate as to give an opportunity for their discussion. He would bear in mind the relative importance of the financial points raised by the committee and of any other matters which members of the house might desire to discuss on the same day. If it should be found impracticable to afford such an opportunity, the procedure suggested in the previous paragraph to meet the case where the votes were taken before the estimates committee's report was ready should apply.

(7) That it should be the duty of the chairman of an estimates committee, or of some other member nominated for the purpose, to be present in the house when the occasion was offered for the discussion of its recommendations, and to speak in their support, and the duty of the minister in charge of the vote either to accept the recommendations or to give reasons for not doing so.

FREEDOM OF VOTING IN COMMITTEE OF SUPPLY.

17. We are convinced that these measures, while they would go far to secure the object in view, would not be adequate for their purpose without one further change of fundamental importance in the practice of the house. The spirit in which the proposed committees will carry on their work, the attitude of ministers toward their recommendations, the confidence of the people at large in their activities, will all depend upon the degree of support which they are enabled to receive from the House of Commons itself. But the house will not be free to give them support so long as the present convention continues, which introduces into every division on a proposal of the government of the day, however unimportant, however remote from broad considerations of national policy, the question of confidence or want of confidence in that government. It is plain that if, on a division on some minor economy in a departmental estimate, a majority adverse to the Government is to be regarded as a censure, even as a reason for its resignation, or for subjecting the country to a general election, the smaller issue must be completely eclipsed by the larger, and that a decision on the merits of the particular question must become impossible. Only when the House of Commons is free, not merely in theory and under the forms of the constitution but in fact and in custom, to vote, when the occasion requires, upon the strict merits of proposed economies, uncomplicated by any wider issue, will its control over the national expenditure become a reality.

The estimates committees will be precluded from dealing with policy. That limitation should exclude from their recommendations any proposals which, if carried against the Government, should properly entail either their resignation or a dissolution of Parliament.

We recommend that the House of Commons, if it approves and decides to act upon our proposals for the establishment of estimates committees, should also resolve that any motion carried in committee of supply in pursuance of the recommendations of those committees should not be taken to imply that the government of the day no longer possessed the confidence of the house.

FORM OF THE ESTIMATES AND ACCOUNTS.

18. The form in which the estimates have hitherto been framed is not such as to make them serviceable for the purposes of parliamentary review. We have made inquiry into this branch of the matters referred to us through a subcommittee, on which several of our members served who were also members of the public accounts committee, and to which there were co-opted, under the permission given by our terms of reference, a civil servant of long experience and three gentlemen with expert knowledge of commercial systems of accounting. As the outcome of their exhaustive inquiries we have expressed the opinion in our seventh report of this session that "estimates and accounts prepared on the present basis are of little value for purposes of control, either by departments, the treasury, or Parliament," and we have recommended that they should be remodeled in a form of greater significance and utility.

We regard the adoption of the recommendations in our seventh report as an essential part of our proposals for securing a proper control over expenditure by Parliament.

19. Their adoption will require that in the case of the estimates for the navy, army, and air force a vote on account should be taken at the beginning of the session, as is already the practice in the case of civil-service estimates. But in any event such a vote on account will be necessary to enable the procedure proposed in paragraph 16 to be fully applicable to the estimates for those services.

20. We are of opinion that when an estimate includes an item for the initiation of a new scheme which is likely to throw an increasing charge upon the exchequer in subsequent years a statement should, as a general rule, be added, showing the amount of that increase, as is already the practice with regard to estimates for building services, and as has occasionally been done by a memorandum in some other cases. Reasons of state may sometimes, however, render this course inadvisable, in which event the information should be subsequently furnished to the estimates committee concerned.

21. A useful return was presented to Parliament in 1909, on the motion of Mr. Harold Cox, under the title of "National Income and Outgo." It gave a comprehensive view of both sides of the national account, and included financial information not readily obtainable elsewhere. The new form of the national accounts recommended in our seventh report will cover some of the ground included in that return. We are of opinion that the public accounts committee, when experience has been gained of the new accounts, should be invited to consider whether it might not be desirable to publish annually a return similar to that of 1909.

MONEY RESOLUTIONS FOR BILLS.

22. We have given careful consideration to the standing orders of the house, which require that all bills involving expenditure should be preceded or accompanied by a resolution, to be passed in committee of the whole house and in the house itself on report, authorizing the expenditure. We are of opinion that the rule serves a useful purpose, but that its utility could be further increased. We recommend that the procedure with respect to money resolutions for Government bills involving expenditure should be retained and should be extended as follows:

(1) The terms of the money resolution should be placed on the notice paper of the house. In the case of bills not originating in committee, this should be done before the second reading of the bill.

(2) They should, wherever possible, either comprise a statement of the probable expenditure, whether capital or annual, or be accompanied by a white paper furnishing such a statement.

(3) If cases should occur where the conditions did not allow a forecast to be made, the fact should be stated in a white paper, with a full explanation of the reasons.

(4) Any statement furnished as proposed in the foregoing paragraphs should be referred to one of the estimates committees for examination and report, unless the house, on account of urgency or of the smallness of the sum involved, should by resolution dispense with that procedure in the particular case.

(5) It should be the duty of the committee to elucidate the facts and to examine the basis of any estimate that may have been formed or the reasons advanced for not forming one. The purpose in view would not be the insertion of a definite figure in a bill in all cases, for that would often be impracticable or injurious to good administration. It should be remembered also that any expenditure incurred must always, unless charged upon the consolidated fund, come before the house each year in one of the estimates. The purpose would be to insure that Parliament should not pass legislation involving financial commitments without a clear idea, based on the inquiries of one of its own committees, of the nature and extent of those commitments, so far as they can be ascertained.

(6) The recommendations in this report with respect to the exclusion of questions of policy and to the freedom of voting in the house on the proposals of the estimates committees should apply in the case of money resolutions as in the case of estimates.

In the case of private members' bills involving expenditure, the procedure proposed in this paragraph should apply if and when a money resolution to authorize the expenditure is moved on behalf of the Crown.

OTHER PROPOSALS.

23. We have considered a number of suggestions for eliminating or curtailing various stages of the procedure by which the house deals with financial business, but we do not recommend any of them for adoption.

24. We have no alteration to suggest in the number of days allotted each session to supply.

25. The estimates for which one minister is responsible are frequently distributed between several votes. It would be advisable for the existing classification to be reviewed in the manner proposed by the joint secretaries of the treasury in their reply to our questions. (See appendix, reply No. 20, question 8.)

26. It is the present practice for the comptroller and auditor general to report to the public accounts committee only when the annual accounts of a department are finally closed. His staff conduct a continuous audit, but if any matters needing attention are brought to light in the course of the year he has no authority to report upon them. We are of opinion that it would add greatly to the value of the audit and conduce to good administration if this restriction were removed, and if the attention of the public accounts committee could be called at once to any apparent impropriety before the expenditure is completed. An amendment to the exchequer and audit departments act, 1866, may be needed for the purpose.

27. We consider that the ministry as a whole should be responsible both for making and for declining to make proposals to Parliament for increased expenditure. There have been departures in recent years from the practice by which an individual minister was not considered at liberty to dissociate himself publicly from his colleagues, and, while himself retaining office, to throw upon the treasury the onus of refusing a particular grant affecting his own department. We deprecate these departures, which, if they became the rule, would make the position of a chancellor of the exchequer almost untenable. We recommend that the former practice should be rigidly observed.

28. We believe that the Treasury can not fully exercise its powers of control if it is itself a spending department, and we recommend that the direct responsibility for old-age pensions, which now rests with the board of customs and excise, a subdepartment of the treasury, should be transferred as soon as may be to another department.

CONCLUSIONS AND RECOMMENDATIONS.

29. (1) We are of opinion that the existing procedure of the House of Commons is inadequate to secure proper parliamentary control over the national expenditure.

(2) We recommend that there should be appointed each session two standing committees on estimates, each consisting of 15 members, and that a third should be added if experience showed that this was desirable.

(3) It should be the duty of the committees to consider the annual estimates and such supplementary estimates as the conditions allowed, and to report to the house any economies which they regarded as desirable and which did not raise questions of policy.

(4) For the assistance of the committees there should be appointed an officer of the house, with the title of examiner of estimates.

(5) Opportunity should be provided for the consideration by the house of the recommendations of the committees in the manner proposed in paragraph 16.

(6) It should be established as the practice of Parliament that members should vote freely upon motions for reductions made in pursuance of recommendations of the estimates committees, and that the carrying of such a motion against the government of the day should not be taken to imply that it no longer possessed the confidence of the house.

(7) The form in which the estimates are framed should be remodeled in accordance with the recommendations in our seventh report of the present session.

(8) There should be a vote on account for navy, army, and air services at the beginning of each session.

(9) Where an estimate involves a commitment to a larger expenditure in subsequent years, the fact should, subject to the qualification mentioned in paragraph 20, be stated in the estimate.

(10) The terms of money resolutions for bills involving expenditure should be placed upon the notice paper of the house. They should embody or be accompanied by a white paper furnishing a statement of the probable amount. If the conditions did not allow such a statement to be framed, a white paper should be presented giving the reasons.

(11) Any statement furnished in connection with a money resolution should be referred to one of the estimates committees for examination and report, unless the House should dispense with that procedure in any particular case.

(12) The classification of the supply votes should be reviewed.

(13) The comptroller and auditor general should be authorized to report to the public accounts committee on matters needing their attention as and when they are brought to light in the course of his continuous audit.

(14) The committee of public accounts should be invited to consider whether a return on the lines of the national income and outgo return of 1909 should be presented annually to Parliament.

(15) A minister should not be at liberty to dissociate himself publicly from his colleagues in matters of expenditure and to throw upon the treasury alone the onus of refusing a particular grant affecting his department.

(16) The treasury should cease to be itself a spending department.

The CHAIRMAN. The gentleman from Kentucky offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment to the amendment offered by Mr. SHERLEY:

Page 1, line 3, after the word "Senators," insert the following: "three of whom shall be members of the majority party and three of whom shall be members of the minority party."

Page 1, line 5, after the word "Representatives," insert the following: "three of whom shall be members of the majority party and three of whom shall be members of the minority party."

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not know whether it is altogether desirable to have that amendment to the resolution. It might be well to leave the appointments wholly with the Vice President and the Speaker. Let the responsibility fall upon them. At first blush I was inclined to oppose this resolution and to make a point of order against it, because I believed that would be in order; but after listening to the gentleman from Kentucky I am inclined to think it might be a wise thing to pass the resolution as a step toward retrenchment. Anyone who sits for any length of time on the Ways and Means Committee will realize the very great difficulty of ascertaining facts with regard to our expenditures. I presume the Committee on Appropriations has even more difficulty, but the committee charged with the duty of raising revenue undoubtedly has very little in the way of substantial financial facts to go upon. They call in the Treasury officials and ask them what the state of the finances is, and they are sometimes troubled to give an answer. Ask what our indebtedness is and there is difficulty in ascertaining just exactly what it is at any given time. The Secretary of the Treasury, apparently, does not have sufficient jurisdiction as to other departments to check up the expenditures and requirements of the departments. The War Department has been given large lump-sum appropriations and spends freely, spends in contracts that carry over into the future. The Navy Department does the same thing. So, if you want to check up your accounts, if you want to take account of stock, it is difficult to do it. Great waste undoubtedly results. I believe this Nation to-day is very close to the rocks, financially.

If the \$7,000,000,000 loan bill that we passed in this House a few days ago does not pass another body very soon, it may necessarily hasten an extra session in order to raise the revenue to meet the actual obligations of the Government. That is one question involved in the passage of this resolution.

I am not so sure, however, that this whole question has not been investigated heretofore. But we have just gone through a great war; we have incurred the vastest expenditures any nation ever incurred, and our obligations are such as to stagger us when we attempt to analyze them. If this resolution will have the effect of an investigation or an inquiry by Members of Congress that will enable us to systematize the method of collecting the revenue and appropriating it, it might do some good.

Mr. KING. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Pardon me for just one minute. This administration is spending more money than any other; it is spending it more recklessly, more extravagantly than any other in the history of the world; therefore there may be reason at this particular time to have a commission appointed in order that we may enact some reform. I now yield to the gentleman.

Mr. KING. Why is it necessary to have this lame-duck proposition involved in this amendment offered by the gentleman from Kentucky?

Mr. MOORE of Pennsylvania. I am not so sure, after reading the resolution and considering these vast problems I have tried to describe, that this is necessarily a lame-duck proposition. It may be a very good thing. The departments have made tremendous expenditures. We should stop some of them. All of us are complaining of our lack of knowledge of the manner in which the money has been spent. All of us know that in the matter of aviation, for instance, we spent \$640,000,000 and did not get a single combat plane in France. We know that in the Army and in the Navy and elsewhere enormous sums have been spent and enormous sums have been held in reserve. We know we are passing appropriations constantly for sums aggregating as high as a billion and more than a billion of dollars. How are we checking them up? What is to be the salvage? How do we know when the Treasury officials themselves are not able to tell us? Therefore may it not be wise to establish a commission made up of men who are not in the departments, who are separate from the administration, separate from the Executive, who can look into this question and bring

us back to a system by which we can make appropriations intelligently and with due regard to our income?

Mr. KING. On that proposition I agree with the gentleman absolutely, but I do not understand this proposition of keeping Members of Congress here on the salary roll after they have been defeated by their constituents.

Mr. MOORE of Pennsylvania. Well, I do not think that is necessarily the fact. The resolution provides for a commission which shall be composed of six Senators to be appointed by the Vice President. They are not necessarily going out, and it provides for a like number of Members to be appointed by the Speaker, and they are sitting Members. There is an appropriation to pay the expenses of the commission, but I question whether it is a "lame-duck" proposition.

Mr. SHERLEY. If the gentleman will permit, I drew this resolution, and I drew it with the idea not in the slightest degree to take care of anybody. I stated openly a few moments ago, and I desire to repeat it, that there is no commission that this Congress can create or has created upon which I would accept any sort of position. Whatever work I may be able to give in helping to bring out a good budget system for America will be given gratuitously. I am not hunting a legislative job nor providing for such through legislation.

Mr. KING. I wish to say that I had no reference whatever to the gentleman from Kentucky. If he were going to be one of the commission, I would be very glad to support that particular feature.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for two minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I take advantage of those two minutes' extension of time to state my confident belief that the statement of the gentleman from Kentucky is accurate.

I have watched his course in this House for 12 years, the length of time I have been here, and do not believe he has prepared this amendment with the view of taking care of himself. On the other hand, I think it fair to say of the gentleman from Kentucky that he has been a consistent advocate of an improved fiscal policy for the Nation. He has labored for this proposition on the floor; has made speeches indicating that there was extravagance, not necessarily accusing anybody, but that because of the system that prevailed, the duplicated committee system of making appropriations, there has been a loss to the Government that should not exist. His idea, from my point of view, has been honorable and statesmanlike. He has sought to prevent the duplication of appropriations and the waste of them, so far as I have observed.

Mr. WALSH. Mr. Chairman, I desire to offer an amendment.

Mr. MONDELL. Mr. Chairman—

Mr. MANN. Mr. Chairman—

Mr. WALSH. I will withhold my motion. The gentleman from Illinois desires recognition.

Mr. MANN. Mr. Chairman, I am very much in favor of the amendment offered by the gentleman from Kentucky [Mr. SHERLEY]. I have given a good deal of consideration myself during my service in the Congress to the subject of appropriations and the methods of making estimates for appropriations, and I have heard a great many men at different times on the floor of the House propose remedies which seemed to me so full of holes that they would be worse than a sieve to hold water.

I am glad the gentleman from Kentucky worked out this proposition. It is a peculiar thing, he having given the study that he has to the subject, and I having given the study I have to the subject, that each has prepared a proposition along practically the same lines. And when I prepared my proposition originally it did not contain the provision which would permit a Member of this Congress not a Member of the next Congress to be appointed on the commission and retain his place. I changed that and provided that the vacancy created by the expiration of the term in Congress of any Member should not create a vacancy on the commission, and I think in that respect the gentleman from Kentucky, in drawing his amendment, follows the language of my resolution without having in view on his part what was in view in my mind when I put that provision in the resolution. It was not in the proposition which I drew originally. I hope the gentleman from Kentucky will not feel obliged to make any statement just at present about what I am going to say. I put that proposition in my resolution because I thought the gentleman from Kentucky ought

to be on the commission [applause], and I am inclined to think that the gentleman from Wisconsin [Mr. STAFFORD] ought to be on the commission [applause], men who have given great study to a subject of this kind and who would continue the work and would not be hampered by the work which Members of the next Congress would have to perform in their official capacity here on the floor and in their offices. I think a majority of the members of the commission ought to be Members of the next Congress, in a way supervisory. There ought to be somebody on this commission who is familiar with the legislative methods and procedure, to give active attention to the work.

We appointed a good many years ago, as it seems to me—it was quite awhile ago anyhow, and I do not remember what it was called—a commission to investigate the form of appropriations and estimates, and so forth, and they submitted a report. I read their report and talked with various members of that commission, and there was not one of them who had any knowledge or perception whatever of the legislative practice and procedure in Congress.

Such a commission could not make a report that would be of any value, and their report was of no value. I am inclined myself—and I would like to say that much before I take my seat—to think there will never be a wholly satisfactory method provided, though there may be many improvements adopted, until members of the President's Cabinet are selected either from the House of Representatives or the Senate [applause], and thereby become somewhat of a responsible Government. It can not be and it never will be that the executives shall make up a so-called budget and submit it to Congress, and that all Congress can do is to accept it or reject it. We are now under subservency to the Government, to the Executive, much more than we ought to be. But if all we could do would be to write yes or no upon a proposition submitted by the Executive for the expenditure of money we might as well abolish Congress. [Applause.]

Now, in those countries where they have responsible governments the government makes those suggestions. They prepare a budget; they submit the proposed appropriations to their respective parliaments, and the parliaments must make the appropriations proposed by the government or the government is turned out. But the government can be turned out because the government consists of members of the parliament; and if the parliament does not sustain their position, others come in their place. But that can not be under our form of government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask for five minutes, although I will not take that much of time.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MONTAGUE. Would it be agreeable to the gentleman from Illinois to permit me to ask him a question?

Mr. MANN. It is always agreeable to yield to a question which helps to elucidate a matter.

Mr. MONTAGUE. Does the gentleman think that the budget system which he is now so intelligently discussing would be promoted by giving the Cabinet members seats on the floor of the respective bodies—

Mr. MANN. I do not.

Mr. MONTAGUE. Will the gentleman permit me to continue the question? Seats on the floor of the respective bodies, with right to follow measures relating to their departments and also the corresponding right on the part of the House to interrogate them, of course, under appropriate rules of procedure?

Mr. MANN. I have a very fixed opinion on that. I do not think it would be of any advantage. [Applause.] I can be very brief; I do not want to take much time—

Mr. MONTAGUE. I did not mean to lead the gentleman into a discussion. I wanted his opinion categorically.

Mr. MANN. If the Cabinet members now were admitted to the floor of the House on an appropriation bill, this side would be inert. It would be completely dominated by the Cabinet officers.

That side of the House, the minority side of the House, would do nothing to heckle them. [Applause.] If a Cabinet officer came in here to explain a proposition now, under the existing administration, with no power or responsibility, the Republican side of the House would ask them all the questions human ingenuity could devise which they could not answer, and the Democratic side of the House would do whatever they told them to do. [Applause.] If they did not, the Cabinet officers would be discredited but not removed.

The only way to have a responsible government, with an Executive given the power to propose and dominate legislation or appropriations, is to fix it so that if a majority of the House

does not agree with them they have got to resign. Let the majority of the House have somebody who will agree with them. I do not know whether that will ever come or not, though I suspect that this thing will go on until some day the President will feel compelled to adopt the theory of a responsible form of government and select his Cabinet officers from men who have the power to make up their proposed appropriations and therefore pass them through Congress, or when defeated resign their Cabinet positions and let somebody else do it.

However, this present proposal is a proposition in the right direction. We can not afford to have the country believe that Congress is grossly extravagant and careless in its appropriations, unmindful of the public needs. There has been a propaganda—and I have just learned what effect a propaganda can have [applause]—against Congress in favor of adopting what is called the "budget system," which nobody can explain, and nobody undertakes to tell what they mean by it. But the propaganda has gone over the country until the country believes that Congress has a very loose and lamentable method of making up its appropriations. I received from my State the other day a copy of the "Budget of Illinois," proposed by the governor or his financial board, to be submitted to the legislature, now in session, for the next two years. They call it a "budget"—a popular name. It does not begin to be one-half as well prepared and considered as the estimates of appropriations submitted to Congress under existing law, although it is a great improvement over what has been done in Illinois in the past. But the country has the notion that Congress acts upon its appropriations without receiving information from the Executive, without any idea of what its revenues are to be, without any notion of what its expenditures are to be, and without any knowledge on the part of the Executive as to what he has asked for; and we have got to make a careful and scientific investigation of the subject, first, to satisfy ourselves and possibly and probably accomplish good, and, second, to satisfy the country that we are not an irresponsible body of looters. [Applause.]

Mr. MONDELL. Mr. Chairman, at one time and another there has been a great deal of talk in the country about a budget system, and a great many people imagine that we can establish under our Government a budget system similar to that of the responsible monarchical and republican governments of Europe. The probability is that that could not be accomplished without a constitutional amendment, at least without very extraordinary and elastic constitutional interpretation.

No one is proposing a change in the form of our Government that would clearly make possible budgets as they are understood in England and Italy and France, but there can be a great improvement, in my opinion, in the manner of presenting and consideration of appropriations. Those who have served on appropriating committees of the House, I think, are all of them of the opinion that there is a lack of careful and correlated consideration of estimates. The annual Book of Estimates comes in, and then from time to time supplemental estimates of all sorts and kinds, apparently frequently hurriedly prepared and ill considered, are sent to Congress.

That is the affair of the Executive. It is not very clear to me how Congress can much improve that situation. The executive branch of the Government can very greatly improve its methods. President Taft was the one President in my recollection who made an earnest and intelligent effort toward the careful, conscientious, and correlated consideration of estimates, and under his administration there was a constant tendency toward economy in the public service. But we have seen nothing of that kind since Mr. Taft's day.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Pennsylvania?

Mr. MONDELL. Yes.

Mr. MOORE of Pennsylvania. I was unable in my time to get out this point, and I want the gentleman, who is well posted, to answer, if he will: Suppose the War Department under existing methods asked for \$500,000,000 for aviation, and the Navy Department under existing circumstances asked for \$500,000,000 for aviation, and one or two others—

Mr. MONDELL. And I would say to my friend that they would be very likely to do that very thing—

Mr. MOORE of Pennsylvania. And thereby buy a vast number of machines and a vast lot of machinery under both appropriations, when one might have accomplished the purpose. Would not this commission be delegated to look into expenditures of that kind with a view to correcting the system?

Mr. MONDELL. It is not very clear to me, though I do not pretend to have as profound a knowledge of these matters as some Members who have given the matter more study, how the

Congress can greatly improve the executive methods in the preparation and submission of estimates. We can suggest, and we may be able to compel more careful consideration of estimates by improving our methods, and along with that improvement calling to the attention of the country the laxity and the carelessness of the executive departments in submitting estimates. In that way indirectly what we do in Congress will, I trust, be reflected on the executive branch of the Government.

Mr. MANN. Mr. Chairman, may I interject a remark about aviation, inasmuch as the gentleman has brought it up?

Mr. MONDELL. Yes.

Mr. MANN. Some years ago the War Department declined to make a recommendation or estimate for aviation in the Army, and they did not make it. There never had been one, and the Chief Signal Officer hoped he might get an estimate, but the Secretary of War would not send an estimate to the Congress. I offered on the floor of the House an amendment to the Army appropriation bill to make an appropriation for aviation, and through a little skillful maneuvering got it by a point of order. But we had quite a fight over it. It was agreed to.

Now, under the system that many people want adopted, it would not have been possible for Congress to have made the appropriation and started aviation in the Army if the War Department had not asked for it, and they refused to ask for it.

Mr. MONDELL. The gentleman has called attention to a situation that might be created if Congress restricted its action to initiate appropriations. Replying further to the inquiry of the gentleman from Pennsylvania, I want to emphasize the fact that, in my opinion, we can promote, if not compel, an improvement of executive committees by improvement in our own methods. Certainly no one conversant with the facts will deny that, putting it mildly, the manner of the submission of estimates by certain departments and agencies under this administration has been scandalous and apparently without regard to the Treasury.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Wyoming be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. Estimates have been submitted without the proper coordinated and correlated consideration by the executive authorities that there should be, this bureau and that bureau and the other bureau, each on its own hook, suggesting estimates in large sums and having its suggestions sent to Congress without very much consideration. We can remedy that situation somewhat if we correct our own methods. The gentleman from Kentucky [Mr. SHERLEY] has performed a conspicuous service in remedying that condition, assuming that gentlemen who are to be responsible in the departments act on what he has brought out, for he has developed, more than any man ever did in the House, the carelessness, to put it mildly, with which estimates are submitted to the Congress.

Now, we can improve our methods, and we ought to improve our methods, and possibly one way to do it is through a commission such as is suggested, although it could be accomplished, I think, by the regular committees of the House. If we are to have a commission, one of less numbers than is proposed would be better.

I want to say in connection with this matter that I regret that the gentleman from Kentucky [Mr. SHERLEY] has stated that under no circumstances would he serve on such a commission, for I know of no man better qualified to serve on that kind of a commission than he; and if the commission is established, I hope one of those places will be tendered to him, and that he will find he can afford to take it. If he does, of course it will be at a financial loss, because the gentleman from Kentucky can go into private practice and make a very great deal more for himself and his family than he could on any Government salary. But what we need is some one thoroughly conversant with the practice of the House, with the history of appropriations and estimates, on a commission of this sort.

Those who imagine that we are going to ape and adopt European methods will be disappointed in the reports of any commission that we appoint, but there are many things that can be done, and one of them that is right in sight and has appeared to every man who has served on appropriating committees is the establishment of what has sometimes been referred to as an independent audit. It might be brought about by the transfer of the auditing departments of the Government to the Capitol, where they would be more nearly within the reach of Congress

and more nearly responsible to Congress, so that the expenditures as they are made might be audited by people in no wise connected with the administrative departments that spend the money. That would be a great reform. I cast no reflection on the auditing agencies of the Government. Those officials have performed their duty with honesty and fidelity, and generally with intelligence and thoroughness, but as a matter of practice the Government audit should be independent of the department that spends the money, and so far as connected with any branch of the Government they should be connected with the branch of the Government that votes the funds. So much for that.

Now, in connection with such an independent audit there ought to be a body of men prepared and qualified to inform the committees of Congress relative to expenditures. Every man who has ever served on an appropriating committee has time after time been brought to realize the helplessness of such a committee, the hopeless helplessness of such a committee at times, in getting at the real essential facts with regard to expenditures.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MONDELL. I ask for three minutes more.

The CHAIRMAN. The gentleman asks for a further extension of three minutes. Is there objection?

There was no objection.

Mr. MONDELL. A body of men connected with an independent audit, whose business it was to keep constantly in touch with expenditures, whose duty it was to know the way in which expenditures were being made, and the purposes for which they were being made, could serve the appropriating committees of Congress, and not leave them, as they now are sometimes, the victims of the ex parte testimony which is presented by those who are seeking appropriations, and who, however honest and well meaning they may be, color all their arguments in line with their views of what ought to be done, and in extenuation of all that has been done. Everyone who has served on an appropriating committee has realized that if the chairman of such a committee could have at his elbow men who could prepare data and statements and make suggestions as to expenditures, such assistance would be of tremendous value to him and to the House. I hope we will have a commission. I hope the gentleman from Kentucky [Mr. SHERLEY] will find that he can afford to be the head of such a commission; and I want to second the suggestion of the gentleman from Illinois that a splendid member of such a commission would be the gentleman from Wisconsin [Mr. STAFFORD].

Mr. SHERLEY. Mr. Chairman, I shall detain the committee only a moment longer about this matter, and I hope that in a few moments we can vote on it and go forward with the bill. I appreciate—I would be less than human if I did not appreciate—the very generous things that Members of the House have seen fit to say about me. But the chairman of the Committee on Appropriations has many burdens and responsibilities placed upon him, and there is no consideration which could make me feel that I could accept a position upon a commission created by a bill coming from my committee. When the Speaker was good enough to say to me that he would like to appoint me on two other commissions I said to him that I would not accept appointment. I do not like to talk about myself or to have this matter take a personal turn; but I want to make it perfectly plain that while I am glad to give anything of value that I can to my Government in the way of suggestion and information, there is no condition under which I would accept a place upon this commission or employment under it.

Mr. WALSH. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. There is already pending two amendments to the amendment.

Mr. WALSH. Then I will offer this as a substitute.

Mr. SHERLEY. I suggest that the other amendments pending may be voted on first.

Mr. WALSH. Very well.

The CHAIRMAN. The question is on the amendments to the amendment proposed by the gentleman from Kentucky. There are two amendments, similar in their terms, and the Chair will have them submitted together.

The Clerk read as follows:

Amendments to the amendment offered by Mr. SHERLEY: Page 1, line 3, after the word "Senators," insert "three of whom shall be members of the majority party and three of whom shall be members of the minority party"; page 1, line 5, after the word "Representatives," insert "three of whom shall be members of the majority party and three of whom shall be members of the minority party."

The CHAIRMAN. The question is on the amendments.

The amendments to the amendment were agreed to.

The CHAIRMAN. The Clerk will now report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment to the amendment offered by Mr. WALSH: Page 1, line 8, after the word "members," strike out the period, insert a colon, and add the following:
"Provided, That the Senators shall be Members of the Sixty-sixth Congress and the Representatives elect shall be Members of the Sixty-sixth Congress."

Mr. WALSH. Mr. Chairman, in the legislative bill, which has not yet been approved, there is a provision for a commission to classify and readjust salaries, and from an intimation given by the Speaker this morning that commission is to be a so-called "lame duck" affair. When the conference report was presented to the House it was read without having been printed, without an opportunity for Members to find out what was in it, and without anybody, as far as I know, except the conferees and possibly one or two others, knowing that changes had been made in the manner in which that commission should be selected.

I submit that we ought to see to it that if we are to authorize the appointment of a commission of this kind and importance it should not be created so as to provide for Members who may have been unsuccessful in the late elections.

The gentleman from Kentucky [Mr. SHERLEY] would be a most competent man to serve upon this commission, but he has indicated his preference not to accept an appointment on that commission, and his determination is entitled to highest praise. I submit that we ought to see to it, with respect to this very important commission, that it shall not go out to the country that in the closing hours of this Congress the Democratic majority and the Democratic Speaker are authorized to appoint "lame ducks," so called, to commissions without a protest on the part of somebody.

Why, the commission on classification of salaries, provided for by the legislative, executive, and judicial appropriation act, if I may be permitted to say so, as will be named by the Speaker—with no intention of casting any reflection upon the Members suggested or upon our beloved Speaker—will be composed of men who have no particular qualifications whatever to recommend them, as far as intimate knowledge of the classified service is concerned, except it would seem that they will not be Members of the Sixty-sixth Congress. I submit that upon these commissions we ought not to authorize appointments which will carry additional expenditures on account of services rendered, but we ought to have members on it who will be here in the next Congress, and who will be associated with and related to the problems they are considering.

Mr. BYRNS of Tennessee. Will the gentleman yield?

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. The gentleman had something to say a few moments ago with reference to the commission provided for in the legislative appropriation bill, the commission on classification and readjustment of salaries. I want to call the gentleman's attention to the fact that when that report was presented the statement was read to the House, and if the gentleman will examine the RECORD he will find that having charge of the report I made an explicit and clear statement of the exact terms of that provision to the House. I do not think the gentleman's criticism is justified, if I understood him correctly.

Mr. WALSH. I meant no personal criticism of the gentleman from Tennessee. He presented the report, as he was at liberty to do, under the rules of the House during the last six days of the session without it being printed, and made a statement which at times could not be heard but by few owing to the confusion, which sometimes occurs when we are dealing with conference reports, and very few could follow intelligently the changes that had been made.

When we were considering the legislative bill originally in the House, I think I made a point of order, or somebody did, and it went to the Senate, where a provision was included providing that the Members of the Senate and the House on that commission should be Members of the Sixty-sixth Congress, but it had another proviso, to the effect that if the Senators or Representatives who will not be Members of the Sixty-sixth Congress were willing to serve on the commission they might be appointed to it.

Mr. BYRNS of Tennessee. The original provision as reported by the House Committee on Appropriations provided that members of that commission should be Members of the Sixty-sixth or succeeding Congress.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. STAFFORD. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks that the time of the gentleman from Massachusetts be extended five minutes. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I would like to see if we can not agree upon debate on this amendment and all amendments thereto.

Mr. FESS. I want five minutes.

Mr. MAGEE. I want 10 minutes.

Mr. SHERLEY. Mr. Chairman, in addition to the five minutes just given to the gentleman from Massachusetts [Mr. WALSH], I ask unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, 10 minutes to be given to the gentleman from New York [Mr. MAGEE].

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this amendment and amendments thereto close in 20 minutes, 10 minutes to be given to the gentleman from New York [Mr. MAGEE]. Is there objection?

There was no objection.

Mr. WALSH. I yield further to the gentleman from Tennessee.

Mr. BYRNS of Tennessee. The House Committee on Appropriations recommended a provision which provided that the members of the commission should be appointed from the membership of the Sixty-sixth Congress. It went out on a point of order. The Senate adopted the provision, to which the gentleman from Massachusetts just referred, requiring that the commission should be composed of the retiring Members of the Sixty-fifth Congress, in the event any of them were willing to serve. The bill as it came from the conferees was a compromise between the position of the House committee, which was for a commission composed of Members of the next Congress, and the action of the Senate, which provided for the appointment of retiring Members, if they were willing to serve. The commission as reported is to consist of Members of the Congress to be appointed by the presiding officers of each House.

Mr. WALSH. Mr. Chairman, I appreciate the rule with respect to remarks concerning Members of the other body, but I want to compliment the other branch of the legislative department of the Government upon the fact that they have three first-class humorists in their membership, if this is a compromise. I recall, and gentlemen here will recall, that the present minority party some years ago, when it was a majority party, received the condemnation of the press and people of the country for the action it had taken as it was going out of power in making possible the appointment of members of its own party to jobs and places upon commissions carrying salaries, and, if I mistake not, that was the time the phrase "lame duck" originated or when it was revived and brought into popular usage once more. We are embarking upon an unwise policy, and I want to protest, as one member of the minority. If we are going to appoint commissions to study these important questions, they should be made up of Members of the Congress which will begin on the 4th day of March, and not of men who will go out of public office on that day, and who will because of their service upon these commissions require additional expenditure of money to pay for their services.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. WALSH. Yes.

Mr. BYRNS of Tennessee. I do not know of any bigger job that confronts anyone than the question of reclassifying and readjusting the salaries of Government employees, and I want to say to the gentleman that it is going to require the entire time of men who are appointed upon that commission—

Mr. WALSH. Mr. Chairman, I did not yield to the gentleman to make a speech. I want to say, however, that there is one bigger job than that, and that job is to seek to conserve the finances of the Treasury of the United States, and it is about time we began to do it. [Applause.] During the last three days of this session we will be confronted with legislation that will be brought in here under one pretext and another which will require the expenditure of hundreds and hundreds of thousands of dollars in addition to the expenditures we have already made, and it is time that some of us were struck with a streak of economy, even though we do have to practice it at the expense of most estimable gentlemen who are Members of this Congress, and who would receive the favor, apparently, of the Speaker of the House as the representative of the majority. Speaking for myself personally, and not attempting to represent the minority, I protest against this plan proposed by the Democrats in the closing hours of this Congress, when you are soon to become the minority party, in attempting to put through a plan that will permit the taking care of a dozen or 15 of your own Members on these commissions, to be paid salaries from the Treasury, and I trust that my amendment will be agreed to.

Mr. SHERLEY. Mr. Chairman, the gentleman will realize that I have been a party to no such plan. I stated in the beginning that I thought the membership of this commission ought to be composed of Members of the next Congress. My only desire is that if they do become members of this commission, and should for any reason not be Members of the succeeding Congress, their work should go on and should not be interrupted by losing membership on the commission. I have no objection to the gentleman's amendment, and I want to repeat that there is nothing that can be done by this Congress in the way of appointment to office that I would accept under any conditions.

Mr. WALSH. I am simply trying to second the sentiments of the distinguished gentleman from Kentucky, who has stated here that if it were permissible under this amendment he would not accept a position on this commission, but I doubt not that others could be found upon that side who will not be in the next Congress who would be willing to accept such an appointment. I trust my amendment will be adopted.

Mr. MAGEE. Mr. Chairman, I just want to get a few facts in relation to a national budget system into the RECORD, and I ask now unanimous consent to revise and extend my remarks therein.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MAGEE. Mr. Chairman, I want to call the attention of the House to the fact that by an act of appropriation of June 25, 1910, there was made available \$100,000—

to enable the President, by the employment of accountants and experts * * * to more effectively inquire into the methods of transacting the public business * * * with a view of inaugurating new or changing old methods * * * so as to attain greater efficiency and economy therein, and to ascertain and recommend to Congress what changes in law may be necessary to carry into effect such results of his inquiry as can not be carried into effect by Executive action alone.

As I understand it, after that \$100,000 had been used up a request was made for an additional appropriation of \$250,000, and upon that request Congress appropriated \$75,000 more, making a total expenditure in the premises of \$175,000.

The commission that was created pursuant to the authority of Congress and during the administration of President Taft was called the Commission on Economy and Efficiency and made extended investigations and a detailed report on "The Need for a National Budget."

The report and recommendations of the commission and the messages of President Taft to the Congress in relation thereto during the second session of the Sixty-second Congress can be found in Document No. 854 of the House of Representatives and in Senate Document No. 1113. These two documents contain nearly 1,000 pages of printed matter.

It has been suggested upon the floor of the House that the members of that commission were not efficient, and that their extended report is not of much value. I have examined the report and, in my judgment, the report is of very material value and shows a vast amount of painstaking investigation and industry upon the part of the members of the commission.

In relation thereto President Taft, in a message to the Congress on June 27, 1912, said, in part:

I send herewith the report of the Commission on Economy and Efficiency on The Need for a National Budget. The recommendations contained therein are approved by me. I recommend to the Congress the enactment of the legislation necessary to put them into effect.

President Taft further said:

Regular committees on expenditure have been established by the Congress for the purpose of obtaining knowledge of conditions through special investigations. During the last century over 100 special congressional investigations have been authorized to obtain information which should have been regularly submitted, and much money, as well as much time, has been spent by the Congress in its effort to obtain information about matters that should be laid before them as an open book; many statutes have been passed governing the manner in which reports of expenditures shall be made; specific rules have been laid down giving the manner in which estimates shall be submitted to the Congress and considered by it. From time to time special investigations have been made by heads of executive departments. During the last century many such investigations have been carried on, and much money has been spent in the conduct of them, as well as by the Congress, for the purpose of obtaining facts as a basis for intelligent consideration of methods and procedure of doing business with a view to increasing economy and efficiency. From time to time Executive orders have been issued, and reorganizations have taken place.

Generally speaking, however, the only conclusions which may be reached from all of this are that—

No regular or systematic means has been provided for the consideration of the detail and concrete problems of the Government.

A well-defined business or work program for the Government has not been evolved.

The reports of expenditures required by law are unsystematic, lack uniformity of classification, and are incapable of being summarized so as to give to the Congress, to the President, or to the people a picture of what has been done and of cost in terms either of economy of purchase or efficiency of organization in obtaining results.

President Taft, in concluding his message, further said:

The purpose of the report which is submitted is to suggest a method whereby the President, as the constitutional head of the administration,

may lay before the Congress, and the Congress may consider and act on, a definite business and financial program; to have the expenditures, appropriations, and estimates so classified and summarized that their broad significance may be readily understood; to provide each Member of Congress, as well as each citizen who is interested, with such data pertaining to each subject of interest that it may be considered in relation to each question of policy which should be gone into before an appropriation for expenditures is made; to have these general summaries supported by such detail information as is necessary to consider the economy and efficiency with which business has been transacted; in short, to suggest a plan whereby the President and the Congress may cooperate—the one in laying before the Congress and the country a clearly expressed administrative program to be acted on; the other in laying before the President a definite enactment to be acted on by him.

Included in this report are summaries of expenditures for the year 1911, summaries of appropriations for the fiscal year 1912, and summaries of estimates of appropriations for the fiscal year 1913. To these summaries your special attention is invited. Attached is also an appendix containing a digest of laws pertaining to appropriations and allotments, to the preparation of estimates, and to forms of reporting expenditures; also the suggested pro forma draft of budget, which has been prepared by the commission and is submitted for your consideration as a matter bearing very directly on the economy and efficiency with which Government business is carried on.

That message was sent to the Congress nearly seven years ago. The Democratic administration that came into power shortly afterwards, as I am informed, starved the Commission on Economy and Efficiency to death. I am strongly in favor of a national budget system. I am in favor of it now, and while I do not wish to question the good faith of any Member of the House or of anybody else, nor to impugn the motive of any Member, yet I say that, after the Democratic administration has let this proposition sleep for seven years, I am not in favor of a proposition now that will put it to sleep for the next quarter of a century.

I want to do something in the public interest. I want drastic retrenchment in public expenditures. I want the Government to do business in a businesslike way. What I say is that we ought to get at this proposition now and show the country that we mean to do something. You can not make me believe that the adoption of a national budget system is too complex a problem for us to solve.

We all know that we can do much to improve the situation. I am not in favor, for instance, of the Committee on Indian Affairs appropriating money; I am not in favor of the Committee on Agriculture appropriating money; we can even through ourselves do much toward bringing about a practical budget system, such as was indicated in the resolution introduced in the House by Representative Fitzgerald, of New York, in September, 1917.

In the public interest and for economy and efficiency we should have, in my judgment, only one committee of the House making appropriations of public funds. Who of my colleagues are in favor of such a proposition? If any of them are, let them speak out. I am gratified to see that the distinguished chairman of the Committee on Appropriations is. I know that he is sincere. I want to help him, but I want to call the bluff that is now under consideration in the form of the pending amendment. I do not like the idea of canning the creation of a national budget system for years to come. I do not like camouflaging the public. We owe it to ourselves to show the public by prompt action that we are in earnest.

We can do something else through ourselves. We have in the House 9 or 10 departmental expenditure committees. I do not speak in a spirit of criticism, but I feel that I must say that they are nothing more or less than ornamental barnacles. Who of my colleagues are in favor of doing away with these department expenditure committees and of creating in their place a great committee on "national expenditures" or on "public accounts," fashioned after the great committee on public accounts in the House of Commons, due to the advocacy of Mr. Gladstone? If any of them are, let them speak out.

Mr. GARRETT of Tennessee rose.

Mr. MAGEE. I have only a few minutes, and I want to get some facts into the RECORD. I will say that I am going to demand of my own party, as I have demanded of the majority party here in the House, that ornamental barnacles be abolished, that the patronage connected therewith be eliminated, and that we go on and do business in the House with some degree of efficiency and economy.

I think that we ought to provide in the pending amendment that the commission to be appointed thereunder shall make a report to the Congress within 60 days after the convening of the first session of the Sixty-sixth Congress. I am heart and soul against telling the American people, who are demanding economy in public expenditures, who have been demanding for generations a national budget system, that we are not going to do anything in the matter and that we are going back and begin again where we left off in June, 1912. I feel that we have sufficient ability and intelligence in the Congress to solve the problem. At least we should be given the opportunity, and

if it shall develop that we have not brains enough to do it, then will be the time to create another commission and to waste \$100,000 more in camouflaging the public. [Applause.]

Mr. SHERLEY. Mr. Chairman, I should hope that any commission appointed that was really serious in its work, and I hope no other kind will be appointed, will be able to report on a number of matters within 60 days after the next session of Congress meets. Whether they can make a complete report, I question. I think it is desirable that the Congress instead of undertaking to get the result of the report to which the gentleman referred—a proposition so revolutionary we never could deal with it—get from this commission a report as to concrete things from time to time, and that is the reason I provided that it should have the right to report at any time with the idea that it might come in with specific recommendations that could be taken up and put into actual law. I do not want this thing to drift indefinitely. The war prevented me from making a further movement in regard to it because that prevented everything except the prosecution of the war. I made the hardest fight I ever made on the floor in reference to it—

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MAGEE. I am very glad to hear the distinguished gentleman make that statement.

Mr. FESS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Chair will state that there is an amendment pending offered by the gentleman from Massachusetts [Mr. WALSH].

Mr. FESS. I will offer an amendment to the amendment, then.

Mr. CAMPBELL of Kansas. I suggest if the amendment is not in order at this time that it be read for information of the House.

The CHAIRMAN. The Chair will have the Clerk read the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Page 2, line 9, strike out the words "at such early date as may be practicable" and insert in lieu thereof the words "by the 4th of March, 1920," so that the line as amended will read:

"The commission shall report by bill or otherwise to the two Houses of Congress with any recommendation it shall choose to make on the 4th day of March, 1920, and shall have the right to report at any time."

Mr. WALSH. Of course that is not in order at this time.

Mr. FESS. Mr. Chairman, this is not an amendment to the gentleman's amendment, but it is an amendment to the bill.

Mr. WALSH. This whole proposition is an amendment.

Mr. FESS. Is the whole matter an amendment?

Mr. SHERLEY. I will say to the gentleman from Ohio after the amendment of the gentleman from Massachusetts is voted upon it will be in order for him to offer his amendment.

Mr. FESS. I accept the correction; I was not aware that the whole language was an amendment.

The CHAIRMAN. The amendment offered by the gentleman from Ohio is not now in order.

Mr. FESS. Mr. Chairman and gentlemen of the committee, I agree very greatly with what the gentleman from Massachusetts [Mr. WALSH] has said in regard to the abuses of the appointing power to give places to those who are not to be Members of the next Congress who might be termed "lame ducks." At the same time I doubt very much the wisdom, notwithstanding the force of the argument, drawn from the history of the last few years to put such a matter as law. For that reason I am rather afraid to support his amendment for fear there is more harm in it than good. I just arose to comment briefly on what the gentleman from New York has said, that this commission of economy and efficiency having done a wonderful work in a report of very exhaustive character seems to have gone into decay; nothing has come from the work it did. That leaves him the fear, and I partly share it, that the same thing might occur with this movement. However, if we put the provision in that there shall be a report either in the form of a bill or otherwise not later than a certain date, it seems to me we will keep alive the proposition.

I think there is no movement before the country so important as this one. I know this is a step in the direction that we want to reach ultimately. I remember with great sensitiveness of a colloquy that was held on the floor of the House on February 11, 1915, in which I figured, when I was urging the adoption of a budget system, and which was commented upon with considerable vigor by the gentleman from New York, Mr. Fitzgerald, then the chairman of the Committee on Appropriations, and the gentleman from Illinois [Mr. MANN], the minority leader. I got at that time the opinion as to the

extreme difficulty in making any changes in the machinery of the Government. We hold with much tenacity to a thing that already is, simply because it is, and we proceed with such caution to a suggestion of any change because we do not know just where the change is leading. Whether a budget system like the English system will ever be engrafted upon our Government or not we do not know, and I care very little whether it will be in that form or not, but we certainly must have a system whereby the auditing is not done by the departments that do the spending. I think everybody will agree to that. We need a change here, and whether it will be in this form or that we can not say; but this commission is given the authority to make investigations, and if we will set the time for the report I think we are assured of the adoption of some more modern system. For that reason I sincerely hope that this step, especially from the standpoint of the Republican side of the House, will be taken, with the assurance that more economy can be exercised, that less extravagance will be had, and a better estimate can be made, and a surer responsibility established, because we can not do it when there are 13 committees, each one rivaling the other to get money out of the Treasury of the Government. This move for the establishment of a budget, if a time is fixed when it can report, will certainly result in a good reform. And I hope it will be granted.

Mr. TOWNER. Mr. Chairman and gentlemen of the committee, it is not a question of whether or not we think this reform desirable. In my judgment it is absolutely imperative. Every day that passes in which we do not take some step toward the securing of a reform in our methods of appropriation is a reflection upon this body.

I am in favor of the amendment of the gentleman from Massachusetts [Mr. WALSH]. I would be glad if the gentleman from Kentucky [Mr. SHERLEY] could be made a member of that commission. I think there is not a man on the floor of this House that would not vote to name him as the chairman of it. I know I would be very glad, indeed, to do so. However, unfortunately for us, he peremptorily declines the consideration of his name.

I want to call the attention of the members of the committee to this fact, that this is in its essence a reform of the rules of the House. The next Congress should do this. It is their business. It is their duty. Among the revisions of the rules that it will present this should be one. And I quite agree with the gentleman from New York [Mr. MAGEE], who says it ought to be done within 60 days after the convening of Congress. And I quite agree with the gentleman from Kentucky [Mr. SHERLEY], who said that at least a preliminary report could be made by that time.

Gentlemen, I presume that we ought not to expect a complete and a revolutionary reform—a system for the purpose of accomplishing the objects that we desire. Probably that could not be done, in the first place, because of the fact that there would be opposition to it in the House; in the second place, because of the fact that we could not, at a blow, strike off the completed system. Perhaps it is better for us that we should take our steps slowly. But there are some things that we can remedy. There are some changes in the rules of the House that we can and ought to make, and ought to make soon. We ought not to allow this next Congress, this next session of this next Congress, to pass without taking some steps in that direction. I am very glad, indeed, to know that men on the Democratic side of the House are as anxious, perhaps, as we are to secure this reform. We realize that during these war days there has been some excuse, perhaps, for not taking some steps. However, that time now has passed when any further excuse can be offered for our not taking some action in regard to this. The gentleman knows that the business interests of this country demand that such action shall be taken. The gentlemen here know that they expect the next Congress to do this. If the Republican Congress shall not do it, it will not be meeting the expectations of the business men of this country. It will not be doing its duty, because these tremendous appropriations that we are called upon to consider and which are presented to us can not be intelligently considered, not through any fault of the appropriation committees, but because of the faults of the system itself. These appropriations can not be correlated. The appropriations being made in three different departments for aeronautics is an example of the defects of the system. These matters ought to be budgeted, perhaps not by an elaborate system such as the English system, but the estimates given by the different members of the Cabinet ought to be revised by some other committee and presented, with their report, to the House for consideration. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time allotted for debate on the amendment has expired.

The question now arises on the amendment to the amendment offered by the gentleman from Massachusetts [Mr. WALSH], which for the information of the committee the Clerk will again report.

The amendment was again reported.

The CHAIRMAN. The question is on the amendment to the amendment, as offered by the gentleman from Massachusetts [Mr. WALSH].

The question was taken, and the amendment to the amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I understand the gentleman from Ohio desires to offer an amendment.

The CHAIRMAN. Does the gentleman from Ohio [Mr. FESS] desire to offer his amendment?

Mr. FESS. I do.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GALLIVAN having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On February 27, 1919:

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 13369. An act to extend the time for the construction of a bridge across the Connecticut River between Springfield and West Springfield, in Hampden County, Mass.;

H. R. 13393. An act to revive and reenact the act entitled "An act to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa," approved April 22, 1912;

H. R. 13427. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Monongahela River at or near the borough of Wilson, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13647. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Ohio River at or near McKees Rocks Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13648. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Millvale Borough, in the county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 13649. An act granting the consent of Congress to the county of Allegheny, Pa., to construct, maintain, and operate a bridge across the Allegheny River at or near Sixteenth Street, in the city of Pittsburgh, county of Allegheny, in the Commonwealth of Pennsylvania;

H. R. 14555. An act granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barrs Ferry, in said county;

S. 5058. An act to authorize the counties of Morton and Bureigh, in the State of North Dakota, to construct a bridge across the Missouri River near Bismarck, N. Dak.;

S. 5192. An act for the construction of a bridge across Rock River at or near South Jackson Street, in the city of Janesville, Wis.;

S. 5316. An act granting the consent of Congress to Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington;

S. 5478. An act granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across the Tug River;

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; and

S. 5580. An act granting the consent of Congress to the counties of Martin and Bertie, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamson, N. C.

On February 28, 1919:

S. J. Res. 107. Joint resolution authorizing the erection on the public grounds in the city of Washington, D. C., of a memorial to Francis Asbury.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. FESS: Page 2, line 9, strike out the words "at such early date as may be practicable" and insert in lieu thereof "by the 4th of March, 1920."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was rejected.

Mr. TOWNER. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report to the committee.

The Clerk read as follows:

Amendment offered by Mr. TOWNER: Page 2, line 9, of the Sherley amendment, after the word "make," strike out the words "at such early date as may be practicable" and insert the following: "within 60 days after the convening of the Sixty-sixth Congress."

Mr. TOWNER. Mr. Chairman, I desire only to suggest—

Mr. FOSTER. Mr. Chairman, has not the debate been closed?

The CHAIRMAN. By previous order all debate has been closed.

Mr. TOWNER. I beg the pardon of the Chair. That was on the amendment of the gentleman from Kentucky [Mr. SHERLEY] and not all amendments thereto.

The CHAIRMAN. The understanding of the Chair was that the request of the gentleman from Kentucky was that debate on all amendments was to be concluded within 25 minutes.

Mr. TOWNER. I think the Chair is mistaken.

Mr. FOSTER. I think not. The Chair stated plainly that debate on this amendment and all amendments thereto was to be closed within 25 minutes.

Mr. TOWNER. That was the Sherley amendment.

Mr. FOSTER. On this amendment which the gentleman from Kentucky [Mr. SHERLEY] offered and all amendments thereto.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. TOWNER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. TOWNER. Mr. Chairman, I call for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 11, noes 32.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on agreeing to the amendment offered by the gentleman from Kentucky [Mr. SHERLEY], as amended by the committee.

The amendment as amended was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To pay the widow of WILLIAM P. BORLAND, late a Representative from the State of Missouri, \$7,500.

Mr. WALSH. Mr. Chairman, I rise to a parliamentary inquiry. Have lines 9 to 14 been read?

The CHAIRMAN. Yes.

Mr. WALSH. I think only the words on line 8 were read.

The CHAIRMAN. The Clerk tells the Chair that the amendment was marked to be presented at the end of line 14, and that all previous lines had been read.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 37, after line 17, insert: "To pay ALBERT JOHNSON, for salary, \$1,442.98, for clerk hire, \$333.32; TOM CONNALLY, for clerk hire, \$399.92; CARL HAYDEN, for salary, \$1,176.37, for clerk hire, \$333.32; FIORELLA H. LA GUARDIA, for salary, \$9,486.31, for clerk hire, \$1,666.60; VICTOR HEINTZ, for salary, \$10,583.90, for clerk hire, \$1,992.92; ROYAL C. JOHNSON, for salary, \$7,171.23, for clerk hire, \$999.92: *Provided*, That there shall be deducted from such amounts any money received by any of the above named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payments have been received by them. In all, \$35,593.79."

Mr. SHERLEY. Mr. Chairman, reserving a point of order, I desire simply to say this: I shall not make the point of order because it is a matter that relates to the membership of the House, and so far as the House is concerned the membership of the House ought to have an opportunity to express its desire in connection with the amendment that the gentleman from Illinois has offered.

Mr. MANN. Will the gentleman withdraw his point of order?

Mr. SHERLEY. I will withdraw it personally.

Mr. MANN. Mr. Chairman, this amendment speaks for itself. I think all gentlemen understand what the purpose is. The

amounts provided have been carefully checked up by the Sergeant at Arms and the Clerk of the House. They are the amounts which would be due if the certificates of attendance and pay by the Sergeant at Arms, as far as salaries are concerned, had been made out. The Speaker had indicated his willingness to sign the certificates, but there is some question as to asking the Sergeant at Arms to pay the money, he being under bond, and it seemed desirable to make provision for it directly, so that there would be no individual responsible.

Mr. WELLING. Has the gentleman included the names of all of those who entered the military service during the war?

Mr. MANN. I endeavored to.

Mr. WELLING. I understood that Mr. JONES of Texas entered the service. I listened attentively to the reading, but I understood it was not included.

Mr. SANFORD. The gentleman's name was eliminated at his own request.

Mr. MANN. The gentleman from New York [Mr. SANFORD] prepared this amendment and went over the matter with the Sergeant at Arms and with the Clerk and with the various Members, or most of them, at least, whose names are mentioned. I do not think it is a desirable thing to discuss on the floor of the House.

Mr. GARRETT of Tennessee. No. It is a most embarrassing thing to be put up to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For reimbursement to the official stenographers to committees for moneys actually and necessarily expended by them from July 1, 1918, to March 4, 1919, \$650 each, \$2,600.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I do so for the purpose of inquiring with reference to the item at the top of page 38, as to this \$650 each, paid out by stenographers to committees.

Mr. SHERLEY. The stenographers to committees hire their transcribers, and the Congress reimburses them for their actual expenses which they certify they have paid for transcribing the testimony.

Mr. WALSH. Then the situation is that the persons who transcribe the proceedings of the House as taken by the Official Reporters of debates are on the roll, but the persons who transcribe the hearings before committees are not?

Mr. SHERLEY. I believe that is true.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GALLIVAN having taken the Chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendments the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder, in which the concurrence of the House of Representatives was requested.

DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

SEC. 3. That the heads of the several executive departments and other responsible officials, in expending appropriations contained in this or any other act, so far as possible shall purchase material, supplies, and equipment, when needed and funds are available, from other services of the Government possessing material, supplies, and equipment no longer required because of the cessation of war activities. It shall be the duty of the heads of the several executive departments and other officials, before purchasing any of the articles described herein, to ascertain from the other services of the Government whether they have articles of the character described that are serviceable. And articles purchased by one service from another, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government are authorized to sell such articles under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office material, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Mr. GOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

Mr. GOOD. I offer it as a new paragraph.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Page 49, after line 3, insert the following as a new paragraph:

"That no part of the money appropriated by this act shall be used for any personal services or to pay for any advertisement, telegram, letter, or circular designed to defeat or enact any proposed legislation of Congress, or to influence any Member of Congress to vote on any appropriation unless specifically authorized."

Mr. GOOD. Mr. Chairman, I think a great injustice has grown up in some of the executive departments of the Government in sending out telegrams to various organizations throughout the United States requesting them to wire Members of Congress to vote for or against certain measures or to vote certain appropriations. I do not know what the expenditures would amount to for this kind of propaganda, but it runs into thousands of dollars. I know that there has never been any appropriation from which these expenses might legally be paid. I also know that the Committee on Appropriations a few days ago received telegrams by the thousands that were actuated solely by telegrams sent out from the Department of Labor at Government expense. No appropriation has ever been made for such purpose. A few months ago the Members were also deluged with telegrams and letters that had their origin in the Department of Education, all on behalf of certain legislation and increased appropriations. Now, it seems to me that that is not the duty or the part of any Government official, who is appointed to enforce the provisions of the law, so far as they relate to his office, to engage in propaganda of this kind.

Mr. BAER. Will the gentleman yield?

Mr. GOOD. I do.

Mr. BAER. There is another department here that is sending men all through the country talking to presidents of colleges and professors, and having meetings, and talking to ministers, and then they are writing back to us sending resolutions. They are lobbying through the whole country and then coming back here to lobby.

Mr. GOOD. This amendment would absolutely put a stop to that practice, so far as the funds carried in this bill are concerned. Of course, they ought not to be permitted to spend the money of the people in this way. Congress ought to say, and it does attempt to specify, the purposes for which appropriations shall be expended, and it ought not to be necessary to pass amendments of this kind. It ought not to be within the power of any official to take money out of the Treasury that Congress has appropriated for legitimate purposes and use it to carry on propaganda of this kind. The real fact is that the amendment ought to apply not only to the moneys carried in this bill but in all other bills. I hope the amendment will be agreed to.

Mr. BLANTON. Mr. Chairman, I am heartily in favor of the amendment offered. During the past week I have received telegrams and communications from various labor organizations and chambers of commerce in my district urging me to support an amendment which will be offered to the sundry civil bill to continue and make permanent the employment service. The propaganda was so general that I sent an inquiry to my district to find out where it came from and what was its source. Much to my surprise I learned that the editor of the Employment Service Bulletin, published here in Washington, a Government official, had sent out at Government expense telegrams to every labor union and labor organization in my district and to every chamber of commerce in my district, urging them to wire their Senators and their Representative to see that this public-service employment was made permanent. I take it that it is beyond the scope of employment and duty of any Government official here in Washington to take upon himself the distribution of that kind of propaganda to influence legislation.

Mr. GARNER. Especially at Government expense.

Mr. BLANTON. Especially at Government expense. All these labor unions and chambers of commerce expect their Senators and Representatives to answer their communications and tell them what they expect to do with regard to the legislation referred to. Why, I dare say it would take the services of an extra stenographic clerk to every Member to answer the communications that Members have received within the last week on this particular item.

Mr. WALSH. Did not the gentleman answer one of the telegrams?

Mr. BLANTON. Yes; I answered one; and if I had time I would like to put my answer in the Record.

Mr. EAGAN. Read it.

Mr. BLANTON. I will tell you what I answered, Mr. Chairman. When I received, through Secretary Morrison, a copy of the cablegram from Mr. Samuel Gompers, in France, telling us that it would be well for the Members of Congress not only to uphold this public-service employment amendment that is to

be offered, but every other species of legislation that was within the labor program, otherwise we could expect a revolution in this country from the returned soldier boys later on, I answered a paper in my district and told them that it was not the returned soldier boys that we had to fear in that respect; that it was not the returned soldier boys from France who caused 6,000 strikes to occur within the United States by organized labor between the 6th day of April, 1917, and the 11th day of November, 1918, during this war. I have a statement from the Department of Labor here in my pocket showing that within that time, during this war, there were 6,000 strikes in this country by labor organizations, of an average duration of 13 days each. I told this same paper that it was not the returned soldier boys who, when this Congress spoke in no uncertain terms on what is known as the Borland amendment, which was a good piece of legislation, providing that the 240,000 clerks and employees of this Government should in war time work eight hours a day to be entitled to the \$120 blanket raise in salary—I told them it was not the returned soldier boys who came to the President of the United States the next day and to the papers of Washington and said, "If that bill is not vetoed we will march on the Capitol and walk out and quit our positions and cripple every department of this Government."

Mr. COOPER of Ohio. Surely the gentleman from Texas does not want to leave the impression that organized labor during the period of the war did not try to do its part?

Mr. BLANTON. There were certain members of organized labor who were loyal to the core, who went to France and worked in the trenches at \$33 a month without a murmur; but it was some of the members of organized labor who stayed here at home who made the trouble.

Mr. GOOD. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. GOOD. I will say to the gentleman that I offer this amendment not only to cure abuses in that department but in others. The abuses I refer to are as prevalent in many other departments, and the useless expenditure of Government money is just as great in the other departments.

Mr. BLANTON. I am sorry that my argument should embarrass the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I ask unanimous consent that I may proceed for five minutes.

Mr. GALLIVAN. Reserving the right to object, when the amendment is offered, as it will be offered later, we will be glad to give the gentleman all the time that the House then has at disposal, and I object.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. GOOD. I will.

Mr. GARRETT of Tennessee. I want to ask the gentleman from Iowa about the amendment. If I understand him correctly, I am very much in sympathy with him. I understand the purpose of his amendment is to prevent any department of the Government from sending out messages suggesting to organizations or individuals that they wire or write touching legislative matters. Is that correct?

Mr. GOOD. The amendment goes that far in some respects and in some respects it does not go that far. The amendment is a limitation only on appropriations contained in this bill, and specifically provides that no part of the money appropriated by this act shall be used for personal services or advertisement, or sending telegrams, letters, or circulars designed to affect legislation or appropriations, unless the money is specifically appropriated for such purposes.

Mr. GARRETT of Tennessee. It will prevent, if I understand it, inserting advertisements in the papers from this fund.

Mr. GOOD. Absolutely.

Mr. GARRETT of Tennessee. In other words, the gentleman is striking, if I understand correctly, at the efforts of departments here to initiate movements.

Mr. GOOD. Absolutely, and have it appear to the person receiving the telegram that the movement originated back home, whereas it originated in the department here in Washington. A man in Tennessee receives from some department a telegram to wire his Senator or Representative in Congress to vote for an appropriation. The Member receiving the telegram at first does not know that the telegram really originated here in Washington, but when he commences to receive them by the hundreds he knows then that the whole propaganda originated here, and thousands of dollars and the services of many clerks are used to promote this kind of propaganda. The only objection that gentlemen will have to the amendment is that it only applies to the money appropriated in this bill.

Mr. STAFFORD. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

In line 2, of the Good amendment, after the word "this," insert the words "or any other."

Mr. STAFFORD. Mr. Chairman, this is clearly subject to a point of order. The purpose of the amendment is to extend the provision of this amendment to all appropriations. It will be merely a camouflage amendment if it is inserted here to apply only to this bill, because it will be futile. There is no money, or very little, that can be used for this purpose. Let us make it mean something. The legislative appropriation bill, agreed to in conference, carried a Senate amendment to which I wish to direct special attention, because the abuse sought to be corrected was adverted to yesterday afternoon, and that is to prohibit the publication of all these numerous periodicals and pamphlets that are being issued by the publicity agencies and sent broadcast throughout the country at a tremendous expense to the Treasury. It provides that all publications, periodicals, journals, magazines that are printed by any governmental agency shall be discontinued unless specifically authorized by Congress. There are connected with the Government 47 publicity bureaus, and every one, on occasions, resorts to the practice that is sought to be discontinued by the pending amendment. Recently the Bureau of Education sent out propaganda to the leaders of education advocating the establishment of a department of education and suggesting an appeal to Members of Congress when there is no chance whatever for its consideration. There has been no bill reported, and yet we have been receiving letters by the score already that had their genesis here in the Bureau of Education.

Mr. GARRETT of Tennessee. I do not know to what extent this would go in preventing the franking privilege. I presume we do not wish to prevent the Educational Bureau from using the frank for proper purposes.

Mr. STAFFORD. Not at all.

Mr. GARRETT of Tennessee. Will it go to the extent of preventing that in any way?

Mr. STAFFORD. Does the gentleman refer to the amendment offered by the gentleman from Iowa or the provision in the legislative bill?

Mr. GARRETT of Tennessee. I am referring to the amendment offered by the gentleman from Iowa as applied to the present law.

Mr. STAFFORD. No; as I read the amendment it would not prevent in any wise the distribution of proper matter, printed matter, circulars concerning their activities, but it would prohibit their sending out circulars under postage or frank at Government expense.

Mr. GARRETT of Tennessee. Urging somebody to vote for something, and with that I am in sympathy.

Mr. GALLIVAN. It would stop Members of Congress from sending wires to people to vote for their bills. If it does not, I think the gentleman ought to amend it. It ought to include Members of Congress who telegraph under their frank to other Members asking them to support bills. I received a telegram when at home from a Member of Congress urging me to come back and give them a vote on this or that proposition, and it ought to be stopped.

Mr. STAFFORD. It would not go to that extent.

Mr. GALLIVAN. Do not assume for ourselves something that we are not willing to give to the departments.

Mr. STAFFORD. We ought not to be placed upon a parity with them in this respect.

Mr. GALLIVAN. Let us be on the level. I will vote for it if it will include Members of Congress.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. CANNON. As I understand, the telegram is used to get a quorum, and to get people—

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. The case instanced by the gentleman from Massachusetts [Mr. GALLIVAN] is not on all fours with the abuse sought to be corrected. Undoubtedly the gentleman on rare occasions may have received a telegram from the Democratic whip to return to vote on some proposition. That is entirely proper, but the abuse sought to be corrected here is in appropriating money to Government officials to use as a back fire upon Members of Congress.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. KEARNS. Does the gentleman say that the Democratic or the Republican whip has the franking privilege when they send telegrams to Members?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEARNS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for one minute.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, how much time would that allow to me?

Mr. SHERLEY. I do not know that it would allow anything to the gentleman. The Chair has the power of recognition.

Mr. BLANTON. Reserving the right to object, I want sufficient time in which to read a telegram—three minutes.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object—

Mr. SHERLEY. Mr. Chairman, I insist that the gentleman either object or not object.

Mr. BLANTON. I object.

Mr. SHERLEY. Then I move that all debate upon this amendment and all amendments thereto close in 10 minutes.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 71, noes 1.

Mr. BLANTON. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twelve Members present, a quorum.

So the motion to close debate was agreed to.

Mr. KEARNS. Mr. Chairman, I ask for recognition.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. KEARNS. Mr. Chairman, I take this time to ask the gentleman from Wisconsin a question. I understood the gentleman from Wisconsin a few moments ago to say that the Democratic whip and the Republican whip in sending telegrams to absent Members have the franking privilege for those telegrams. Is that true?

Mr. STAFFORD. No. I was replying to the objection of the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. GALLIVAN. I said nothing about whips.

Mr. STAFFORD. He referred to telegrams which he has received urging him to return. Those occasions must have been very rare, because he is generally here.

Mr. KEARNS. Has the Democratic whip or the Republican whip the franking privilege when sending for absent Members?

Mr. GALLIVAN. Of course they have.

Mr. GARRETT of Tennessee. Oh, no.

Mr. FOSTER. They are performing public business.

Mr. GARRETT of Tennessee. They have not the franking privilege on telegrams.

Mr. STAFFORD. I am not acquainted with the practice of the Republican or the Democratic whips in sending telegrams. I know this: That the contingent fund of the House is used for the payment of official telegrams sent by Members of Congress to their constituents or to other persons throughout the country.

Mr. KEARNS. If they have the franking privilege—

Mr. STAFFORD. The franking privilege does not extend to telegrams. It extends only to letters.

Mr. KEARNS. I want to say that I have a protest that I desire to make, because the Republican whip sent me a telegram collect, on which I had to pay 78 cents. [Laughter.]

Mr. STAFFORD. Then I think the gentleman has a good case against the Republican whip.

Mr. GARRETT of Tennessee. The whips send telegrams under the head of official business whenever it is official business and they are paid for by the Government.

Mr. CLARK of Missouri. At Government rates.

Mr. GARRETT of Tennessee. Yes; at Government rates.

Mr. BLANTON. Mr. Chairman, the gentleman from Massachusetts asked me awhile ago if I answered all of these telegrams that I received. I did answer them, and among such answers I sent one by telegram in particular, which, in my time, I want to read.

Mr. GALLIVAN. Before the gentleman begins, will he yield for a question?

Mr. BLANTON. Yes.

Mr. GALLIVAN. Was this a Government message, charged to the Government?

Mr. BLANTON. I refuse to yield right now. That telegram is as follows:

[Telegram.]

WASHINGTON, D. C., February 26, 1919.

SAN ANTONIO EXPRESS,
San Antonio, Tex.:

Kindly permit me to publicly answer a 1,000-word telegram just received from Director J. F. Carl. Sundry civil bill continues Employment Service until July. This service in Texas is beneficial, worthy, and ideal. Not so in many other States. It is not the returning soldier boys who are now demanding that this service be made permanent, adding an extra ten million appropriation for coming year, but it is members of organized labor who didn't enlist or fight, but who claimed industrial exemptions, and who during entire war have drawn higher wages than ever dreamed of before, as high as \$11 per day, more than the salary of the governor of Texas, while our fighting boys in trenches were paid only \$33 per month. When Gen. Crowder ordered all men to "work or fight," it was Samuel Gompers and this same bunch who threateningly told him that he could not apply the work-or-fight order to organized labor, and thus forced the drafting of boys 18 years old. When Congress required the 240,000 Government clerks, drawing annual salaries up to \$2,500, to work eight hours per day during the war, it was this same bunch who forced President Wilson to veto this eight-hour provision by thousands of such employees threatening to march on the Capitol and threatening to quit work and thus crippling every department of Government in war time. Statistics in Labor Bureau show that during war, April 6, 1917, until armistice was signed, November 11, 1918, there were in the United States 6,000 strikes by members of organized labor, lasting an average of 17 days' duration.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No. I will not yield.

In several Southern States, where farming is absolutely dependent upon negro labor, Government representatives of this Employment Service have induced thousands of negroes to leave farms and have unionized them in cities. The editor of the Employment Service Bulletin here has lately wired the unions and chambers of commerce throughout my district urging them to insist on my supporting this union program, and it takes an extra stenographer to answer such communications from labor unions. Although 45 States have ratified the prohibition amendment, and it is a part of our Constitution, these same labor unions are arranging a strike against the Constitution of the United States on July 1. They also defied law and the courts of California.

Mr. Samuel Gompers has cabled us to support this and other union measures, insinuating that a failure to do so might cause a revolution of the discontented labor members here. It has now reached a point when Congress must decide whether America and its Government is to be run in the interests of its 110,000,000 people or run solely by Samuel Gompers in the selfish interests of 3,000,000 members of labor unions. The success of a doctor, lawyer, preacher, teacher, Congressman, merchant, farmer, and public officer depends entirely upon his ability, efficiency, and class of service given, but the 3,000,000 members of unions depend solely upon Samuel Gompers, union card, power of strike, and revolution—

Mr. LONDON. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. The point of order is that the gentleman can not read a document without the permission of the House.

Mr. BLANTON. I am reading in my own time, and I ask that this be not taken out of my time.

Mr. LONDON. The gentleman can not read from a document without the consent of the House.

Mr. WALSH. But the gentleman must make that point before the other gentleman starts reading.

The CHAIRMAN. The time allotted to the gentleman from Texas has expired.

Mr. COOPER of Ohio. Mr. Chairman, I would like to be recognized for three minutes.

The CHAIRMAN. But three minutes remains of the time.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to insert the balance of this telegram.

The CHAIRMAN. Is there objection?

Mr. GALLIVAN. Mr. Chairman, reserving the right to object, I shall object to its going into the RECORD unless everything shows on the telegram; and if it was sent at Government expense, that that goes into the RECORD.

Mr. BLANTON. I will put it in just like it is.

Mr. GALLIVAN. Was it sent at Government expense?

Mr. BLANTON. I will answer that if the gentleman will get me time.

Mr. GALLIVAN. Oh, that does not take any time; that only takes half a second.

Mr. BLANTON. I will answer if the gentleman will get me two minutes time.

The CHAIRMAN. Is there objection?

Mr. BENJAMIN L. FAIRCHILD. Give him the time.

Mr. GALLIVAN. I object—all right—

Mr. BLANTON. If the gentleman will get me the time to answer I will answer.

Mr. GALLIVAN. I have asked the question whether that wire was sent at Government expense or not?

The CHAIRMAN. The Chair has recognized the gentleman from Ohio [Mr. Cooper] to proceed for three minutes, being the only time remaining of the allotment upon this subject.

Mr. COOPER of Ohio. Mr. Chairman and gentlemen of the committee, I do not believe that I can sit still in my seat and

listen to the gentleman from Texas [Mr. BLANTON] indicting the union labor men of this country. I have not always agreed with Mr. Samuel Gompers, and on several occasions I have taken issue with him right here on the floor of the House, but when the gentleman from Texas intimates that organized labor of this country caused all of these strikes and did not do their part in the winning of this war, he makes a misstatement which he can not prove by the facts. There is no body of men in this country who lent their heartiest support to the prosecution and winning of this war more than the workmen of this country. Who was it who made all the ammunition, the arms, and the guns; who was it who kept our railroad trains running section after section to the seacoast towns, so that the docks were piled up with provisions, ammunition, and guns for the soldiers abroad who were fighting our battles? Was it not the workmen of this country? I want to say to you that no man in this land did more to keep organized labor in line and did more in the prosecution and winning of this war than did Mr. Samuel Gompers. [Applause.] If it had not been for the efforts of Mr. Gompers the Bolsheviks and the I. W. W.'s would have had their way in this country and the wheels of industry would have been clogged and we would not have had—

Mr. BLANTON. Will the gentleman yield?

Mr. COOPER of Ohio. No, not now; the gentleman would not yield, but wants to talk all the time. [Laughter.] Mr. Chairman, I come from a section that is probably one of the greatest industrial districts of this country. I know how the organized labor men felt regarding the prosecution of this war up in my section, for that great industrial section, the Mahoning Valley, which takes in the cities of Youngstown, Niles, Warren, and the great steel industrial centers there, sent 22,000 men into the service, and a large majority of those men were men who came out of the factories, the mills, and the workshops, and the mines, and it ill becomes the gentleman from Texas to stand here on this floor and charge that organized labor did not do their part during the great crisis which we have passed through. [Applause.]

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to modify the amendment by having it appear as a new section, section 4, instead of as a new paragraph.

Mr. SHERLEY. Mr. Chairman, I do not believe in riders upon an appropriation bill. I think they are a mistake, but the House seems to want to legislate on this matter. If they do, I am willing for the House to express its opinion, and I will not make the point of order on the amendment of the gentleman from Wisconsin to the amendment of the gentleman from Iowa.

The CHAIRMAN. The reservation of the point of order is withdrawn.

Mr. KEATING. Mr. Chairman, I renew the point of order.

The CHAIRMAN. The question is now upon the amendment offered by the gentleman from Iowa [Mr. Good], who asks leave to modify his amendment. The Clerk will report the modified amendment.

The Clerk read as follows:

Mr. Good modifies his amendment so it will read: "Page 49, end of line 3, add a new section, as follows:

"Sec. 4. That no part of the money appropriated by this act shall be used for any personal services or to pay for any advertisement, telegram, letter, or circular designed to defeat or enact any proposed legislation by Congress or to influence any Member of Congress in his vote on any appropriation unless specifically authorized."

Mr. KEATING. Mr. Chairman, I make the point of order against that on the ground it is new legislation.

The CHAIRMAN. There was no reservation of the point of order. The question is upon the amendment proposed by the gentleman from Iowa [Mr. Good].

The question was taken, and the amendment was agreed to.

Mr. MANN. Mr. Chairman, a moment ago the House agreed to an amendment which I offered, to pay certain salaries and clerk hire. I ask unanimous consent to modify the amendment which was agreed to by inserting after the word "amounts" the words "for salary, respectively," so that the deductions which may have been paid to Members of the House who went into the Army shall be from the salary and not from the clerk hire.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the amendment which he offered be modified as indicated. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. MANN: After the word "amounts" insert "for salary, respectively."

The CHAIRMAN. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Chairman, I do not know of a more embarrassing proposition that has been thrust upon me during my term of service here than that which was proposed by the amendment offered by the gentleman from Illinois a few moments ago. I am sure it is embarrassing to every Member. The amendment proposed by the gentleman from Illinois has been agreed to. As a matter of fact, those gentlemen who left the House of Representatives and accepted commissions in the Army, under all the holdings of the past as reported by the Committee on the Judiciary following an investigation of precedents made in order by a resolution offered by the gentleman from Illinois [Mr. MANN] calling upon them for a report, forfeited their seats as Members of the House of Representatives. I say those who accepted commissions. Those who went as privates, of course, occupied a different status.

Now, there is not any doubt about that. There is not any doubt in the mind of any gentleman here. Here, unfortunately, is what, because of our unwillingness to engage in an ungracious act, we are doing: We are providing an entirely different plane for men who left the House of Representatives and went into the Army from those who left other departments of the Government and went into the Army. I have no doubt, so far as I am personally concerned, of the correctness of the report made by the Committee on the Judiciary. I have no doubt that they were correct under the precedents; I have no doubt they were right under the reasoning. I did not make the point of order. It would have been an ungracious thing to do, it would have been an exceedingly objectionable thing to do to the membership of the House, and yet this opportunity having arisen to express myself, I wish to take advantage of it to say that I did not approve of the amendment offered by the gentleman from Illinois [Mr. MANN], and which was adopted by the Committee of the Whole. I understand there was one Member of the House [Mr. Jones] who entered the Army who asked that there be no appropriation made for his salary or clerk hire. I am glad of that. To sacrifice is one thing; to not sacrifice is an entirely different thing.

Now, Mr. Chairman, that is all I desire to say. Of course, the amendment is passed now.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. PARKER of New Jersey. Mr. Chairman, I ask leave to speak for five minutes on this subject.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey have five minutes.

The CHAIRMAN. The request is made that the gentleman from New Jersey [Mr. PARKER] may proceed for five minutes. Is there objection?

Mr. MANN. Mr. Chairman, is there objection to the request I made to modify the amendment?

Mr. GARRETT of Tennessee. I reserved the right to object, and I suggest the gentleman from New Jersey can do the same thing and have some time.

Mr. MANN. If there is going to be any objection to it—

Mr. PARKER of New Jersey. It is really necessary that this should be discussed for a moment.

Mr. MANN. I am willing for the gentleman to discuss it, but I want to know if there is objection to the modification of the proposition that I just submitted?

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois [Mr. MANN]?

Mr. GARRETT of Tennessee. Of course, Mr. Chairman, I shall not object to that, the other matter having gone through.

The CHAIRMAN. The Chair hears no objection to the modification and correction being made, and it is so ordered.

The Chair recognizes the gentleman from New Jersey [Mr. PARKER] for five minutes.

Mr. PARKER of New Jersey. Mr. Chairman, I think the House ought to understand the last decision that was had with reference to this matter of Army service of Members of Congress and their pay.

The Constitution of the United States provides that no person holding any office under the United States shall be a Member of either House during the continuance of that office. During the Spanish-American War several Members of this House went into the war, which was a very temporary affair, as officers of Volunteers, and a resolution was offered, which went before the Committee on the Judiciary, inquiring whether they had forfeited their seats. There had been a good deal of contradictory practice in the House of Representatives before that time, during the Civil War, and no one had ever actually been turned out of the House. The provision of the Constitution is different from that of the statute in England. In England, if any member of Parliament accepts any office under the Crown, the statute declares his

seat vacant and forfeited, and that a writ of election shall immediately issue. Our Constitution does not say that the seat is forfeited forever. It simply says that no one holding office under the United States shall be a Member of either House during the continuance of his office. When this matter came before the Committee on the Judiciary, then presided over by Mr. Henderson, a resolution was reported by the majority of the committee that each of these Members, of whom Gen. Wheeler was one, had forfeited his seat. I filed a minority report, to protect these officers, suggesting that the Constitution recognized the necessity sometimes of using Members of Congress for temporary employment. The United States had sent Senators over as commissioners to Europe in order to negotiate peace and had sent Mr. Dingley to Canada as commissioner to negotiate a treaty. And while I acknowledged and believed that during the continuance of such office under the United States, such temporary office, the man was not in Congress and could not draw his pay or emoluments here, yet I insisted that if no notice was taken by Congress or by the States of the fact that the vacancy existed, the membership was only suspended and the Member could come back to his seat again.

This matter never came to decision on the merits. When the resolution was moved in the House, a veteran of the Civil War, Mr. Lacey, of Iowa, raised the question of consideration, and under the question of consideration the House refused to consider the fact that these Members had left for this temporary service. At the same time it was ruled by the Speaker, Mr. Reed then being Speaker, that he would sign no warrants for pay while they were away as officers of the Army, and while their offices continued they received Army pay, but no payment was made to any Member of Congress who went into the Army of his salary as Member during his absence. Those who returned retook their seats after discharge from the Army as officers, and went on with their duties and received their salary as Members here, as some of the present Members already have done.

Those were the facts at that time. I am not making any argument. But my theory, as I say, was that under the Constitution during the continuance of this temporary duty they should receive Army pay, but were not Members of the House or entitled to salary as such. I believe that is all I have to say.

Mr. SHERLEY. Mr. Chairman, I ask to have the last section, section 4, read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That this act hereafter may be referred to as the "third deficiency appropriation act, 1919."

Mr. SHERLEY. I ask unanimous consent to return to page 27, in order to precede the amendment that was offered by Mr. WALSH and adopted by the committee, with the heading "Ores, Metals, and Minerals." He offered an amendment which, if it would appear in the bill without a heading, would seem to make it relate to a matter of the Columbia Institution for the Deaf, to which, of course, it has no relation.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the committee return to page 27 for the purpose of offering a correcting amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 27, to precede the amendment of Mr. WALSH, insert as a center head the following: "Ores, Metals, and Minerals."

Mr. SHERLEY. That is simply a subhead in the bill to make the amendment relate properly. I ask unanimous consent that "Section 4" be changed to "Section 5."

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that "Section 4" be changed to read "Section 5" in the pending bill. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. Does the gentleman want this section 4 to remain in the bill as it is—"third deficiency appropriation act"?

Mr. SHERLEY. Personally I have no opinion one way or the other. The reason we adopted the enumeration of deficiency bills was that during the war a bill would come in as a deficiency, and then there would come in another and another deficiency, and it was rather hard always to identify them. There has been in this year 1919 no general deficiency, and I personally do not object to its being designated as the "general deficiency appropriation act, 1919."

Mr. MANN. I really think that officers of the Government would not be misled, and probably that is the most important consideration. But where you say "third deficiency appropriation act, 1919," the ordinary individual would suppose that you meant the calendar year 1919. Of course, what you mean is the fiscal year 1919, because this is not the third deficiency appropriation act of this calendar year.

Mr. SHERLEY. Of course, that could be cleared up by inserting the words "fiscal year" in front of "1919."

Mr. MANN. It could.

Mr. SHERLEY. If that meets with the gentleman's view, Mr. Chairman, I suggest to amend it so as to read, "third deficiency appropriation act, fiscal year 1919." I suggest that as an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 49, line 5, after the word "act," insert "fiscal year."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to extend my remarks by printing data in connection with the report on the extension and completion of the Capitol Building.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to extend his remarks in the Record by making the insertions of which he has spoken. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise and report the bill.

Mr. WALSH. Mr. Chairman, will the gentleman permit an inquiry?

Mr. SHERLEY. Yes.

Mr. WALSH. In connection with the extension of the gentleman's remarks on the proposed commission looking toward the revision of our financial system, does the gentleman intend to incorporate part of the report made by the committee in Great Britain?

Mr. SHERLEY. In regard to the question of the budget, about which the gentleman is asking, I shall be very glad to place in the Record, by the permission of the House, in connection with my remarks on the budget, part of the ninth report, I think it is, of a special committee of Parliament on the question of reform of procedure.

Mr. WALSH. The gentleman had permission to extend his remarks, and I wanted to know if he would put that in.

Mr. SHERLEY. I hope to put in part of that report.

Mr. Chairman, I move that the committee do now rise and report the bill back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16187) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. SHERLEY. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The SPEAKER. The gentleman from Kentucky moves the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a separate vote on the Mann amendment, relative to the payment of salaries to Members of Congress who were in the military service.

The SPEAKER. The gentleman from Tennessee asks that a separate vote be had on the Mann amendment. Is a separate vote demanded on any of the other amendments? If not, the Chair will put them in gross. The question is on agreeing to the other amendments.

The amendments were agreed to.

The SPEAKER. The Clerk will report the Mann amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 37, after line 17, insert: "To pay ALBERT JOHNSON, for salary, \$1,442.98, for clerk hire, \$333.32; TOM CONNALLY, for clerk hire, \$399.92; CARL HAYDEN, for salary, \$1,176.37, for clerk hire, \$333.32; FIORELLA H. LAGUARDIA, for salary, \$9,486.31, for clerk hire, \$1,666.60; VICTOR HEINTZ, for salary, \$10,583.90, for clerk hire, \$1,992.92; ROYAL C. JOHNSON, for salary, \$7,171.23, for clerk hire, \$999.92: *Provided*, That there shall be deducted from such amounts any money received by any of the above-named as compensation for service in the Army during the present emergency, and the affidavits of the above-named persons shall be accepted as proof as to whether or not any such payments have been received by them. In all, \$35,593.79."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the Speaker announced that the yeas seem to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—yeas 73, noes 29.

Mr. HUDDLESTON. Mr. Speaker, I demand the yeas and nays; and, pending that, I make the point of order that there is no quorum of the House present.

The SPEAKER. You do not have to make both of them at once. The gentleman from Alabama makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. Those in favor of the amendment will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 229, nays 120, answered present 4, not voting 75, as follows:

YEAS—229.

Anderson	Fisher	Lonergan	Rowe
Anthony	Flood	Longworth	Rowland
Bacharach	Focht	Lufkin	Sabath
Baer	Poster	Lundeen	Sanders, Ind.
Barnhart	Freeman	McAndrews	Sanders, N. Y.
Benson	French	McArthur	Sanford
Beshlin	Fuller, Ill.	McClintic	Schall
Blackmon	Gallagher	McCormick	Scott, Iowa
Bland, Ind.	Gallivan	McCulloch	Scott, Mich.
Bowers	Gandy	McFadden	Shallenberger
Browne	Garland	McKenzie	Siegel
Browning	Glynn	McKinley	Sims
Burroughs	Good	McLaughlin, Mich.	Sinnott
Caldwell	Graham, Ill.	McLaughlin, Pa.	Slomp
Campbell, Kans.	Graham, Pa.	McLemore	Sloan
Campbell, Pa.	Green, Iowa	Madden	Smith, Idaho
Cannon	Greene, Mass.	Magee	Smith, Mich.
Carew	Greene, Vt.	Mann	Smith, C. B.
Carter, Okla.	Griest	Mapes	Smith, T. F.
Chandler, Okla.	Hadley	Mason	Snell
Clark, Pa.	Hamilton, Mich.	Mays	Snooks
Classon	Harrison, Va.	Merritt	Snyder
Cleary	Haskell	Miller, Minn.	Steenerson
Cooper, W. Va.	Haugen	Miller, Wash.	Stephens, Nebr.
Cooper, Wis.	Hawley	Mondell	Stevenson
Crago	Hayes	Moore, Pa.	Stiness
Cramton	Hersey	Moore, Ind.	Strong
Currie, Mich.	Hicks	Morgan	Sweet
Curry, Cal.	Hilliard	Mott	Switzer
Dale	Hollingsworth	Nelson, A. P.	Taylor, Colo.
Dallinger	Hood	Nelson, J. M.	Temple
Darrow	Hull, Iowa	Nichols, Mich.	Templeton
Dayey	Husted	Nolan	Tilson
Davis	Hutchinson	Norton	Timberlake
DeLaney	Ireland	Oliver, N. Y.	Tinkham
Dempsey	James	Olney	Towner
Denison	Jul	Osborne	Treadway
Denton	Kahn	O'Shaunessy	Vestal
Dillon	Kearns	Paige	Voigt
Dixon	Kehoe	Parker, N. Y.	Volstead
Donovan	Kelly, Pa.	Peters	Waldow
Dowell	Kennedy, Iowa	Phelan	Walsh
Drukker	Kennedy, R. I.	Platt	Ward
Dunn	Kieess, Pa.	Polk	Wason
Dupré	King	Porter	Watson, Pa.
Dyer	Kinkaid	Powers	Weaver
Eagan	Kitchin	Pratt	Welling
Edmonds	Knutson	Purnell	Wheeler
Elliott	Kraus	Ragsdale	White, Me.
Ellsworth	Kreider	Rainey, J. W.	Williams
Elston	La Follette	Ramsey	Winslow
Esch	Lampert	Ramseyer	Woods, Iowa
Evans	Langley	Randall	Woodyard
Fairchild, B. L.	Lea, Cal.	Rankin	Yeung, N. Dak.
Farr	Linthicum	Reed	Zihlman
Ferris	Little	Riordan	
Fess	Littlepage	Rodenberg	
Fields	Lobeck	Rose	

NAYS—120.

Alexander	Bell	Byrnes, S. C.	Crisp
Almon	Black	Byrnes, Tenn.	Crosser
Ashbrook	Bland, Va.	Candler, Miss.	Decker
Aswell	Blanton	Caraway	Dent
Ayres	Brand	Claypool	Dewalt
Bankhead	Brodbeck	Coady	Dickinson
Barkley	Buchanan	Collier	Dies
Beakes	Burnett	Connally, Tex.	Dominick

Doolittle	Holland	Moon	Stafford
Doremus	Houston	Oldfield	Stegall
Doughton	Howard	Oliver, Ala.	Stedman
Drane	Huddleston	Overstreet	Stephens, Miss.
Eagle	Humphreys	Padgett	Sumners
Fuller, Mass.	Igoe	Parker, N. J.	Thompson
Gard	Jacoway	Pou	Tillman
Garner	Johnson, Ky.	Quin	Venable
Garrett, Tenn.	Jones	Rainey, H. T.	Vinson
Garrett, Tex.	Keating	Raker	Walker
Godwin, N. C.	Key, Ohio	Rayburn	Walton
Goodwin, Ark.	Kincheloe	Robinson	Watkins
Gordon	Larsen	Romjue	Watson, Va.
Gray, Ala.	Lazaro	Rouse	Webb
Hamlin	Lee, Ga.	Rubey	Welty
Hardy	Leshner	Rucker	Whaley
Harrison, Miss.	Lever	Saunders, Va.	White, Ohio
Hastings	London	Sells	Wilson, La.
Hayden	McKeown	Sherley	Wingo
Heflin	Mansfield	Sisson	Wise
Helvering	Martin	Slayden	Wright
Hensley	Montague	Small	Young, Tex.

ANSWERED PRESENT—4.

Butler	Johnson, Wash.	LaGuardia	Rogers
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NOT VOTING—75.

Austin	Emerson	Heintz	Sanders, La.
Birch	Essen	Helm	Scully
Booher	Estopinal	Hull, Tenn.	Sears
Britten	Fairchild, G. W.	Johnson, S. Dak.	Shackleford
Brumbaugh	Fairfield	Kelley, Mich.	Sherwood
Cantrill	Flynn	Kettner	Shouse
Carlin	Fordney	Lehlbach	Steele
Carter, Mass.	Foss	Lunn	Sterling
Cary	Francis	Maher	Sullivan
Chandler, N. Y.	Frear	Morin	Swift
Church	Gillet	Mudd	Tague
Clark, Fla.	Goodall	Neely	Taylor, Ark.
Connolly, Kans.	Gould	Nicholls, S. C.	Thomas
Cooper, Ohio.	Gray, N. J.	Overmyer	Van Dyke
Copley	Gregg	Park	Vare
Costello	Griffin	Price	Wilson, Ill.
Cox	Hamill	Reavis	Wilson, Tex.
Dill	Hamilton, N. Y.	Roberts	Wood, Ind.
Dooling	Heaton	Russell	

So the amendment of Mr. MANN was agreed to.

The Clerk announced the following pairs:

Mr. BUTLER (for) with Mr. STEELE (against).

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. BOOHER with Mr. COOPER of Ohio.

Mr. CANTRILL with Mr. FAIRFIELD.

Mr. CARLIN with Mr. FORDNEY.

Mr. CLARK of Florida with Mr. FOSS.

Mr. DOOLING with Mr. FREAR.

Mr. HAMILL with Mr. GOODALL.

Mr. HELM with Mr. GOULD.

Mr. KETTNER with Mr. HEATON.

Mr. LUNN with Mr. KELLEY of Michigan.

Mr. NEELEY with Mr. LEHLBACH.

Mr. PARK with Mr. MORIN.

Mr. SANDERS of Louisiana with Mr. MUDD.

Mr. SEARS with Mr. VARE.

Mr. SCULLY with Mr. WILSON of Illinois.

Mr. SHERWOOD with Mr. WOOD of Indiana.

Mr. STERLING with Mr. HAMILTON of New York.

Mr. SULLIVAN with Mr. FRANCIS.

Mr. TAGUE with Mr. ESSEN.

Mr. NICHOLS of South Carolina with Mr. SWIFT.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

WAR-RISK INSURANCE (H. REPT. NO. 1136, PT. 2).

Mr. PARKER of New Jersey. Mr. Speaker, I ask unanimous consent to file minority views on the bill to amend the war-risk insurance act.

The SPEAKER. The gentleman from New Jersey asks unanimous consent to file minority views on the bill to amend the war-risk insurance act. Is there objection?

There was no objection.

ENTRY OF DISTILLED SPIRITS.

Mr. HENRY T. RAINEY, from the Committee on Ways and Means, presented joint resolution (H. J. Res. 438, H. Rept. 1153) to permit entry of distilled spirits shipped to the United States prior to September 9, 1917, and wines and other nonspirituous alcoholic beverages so shipped prior to January 1, 1919.

DAMS ACROSS NAVIGABLE WATERS—CONFERENCE REPORT (NO. 1147).

Mr. SIMS. Mr. Speaker, I call up the conference report on the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Tennessee calls up conference report on the bill S. 1419, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. STAFFORD. Reserving the right to object, this conference report has never been presented in the House for consideration in its entirety and therefore I object.

Mr. SIMS. Then, Mr. Speaker, I ask for the reading of the report and statement.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed by the House amendment insert the following:

"That a commission is hereby created and established, to be known as the Federal Power Commission (hereinafter referred to as the commission), which shall be composed of the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture. Two members of the commission shall constitute a quorum for the transaction of business, and the commission shall have an official seal, which shall be judicially noticed. The President shall designate the chairman of the commission.

"SEC. 2. That the commission shall appoint an executive secretary, who shall receive a salary of \$5,000 a year, and prescribe his duties. The work of the commission shall, in so far as practicable, be performed by and through the Departments of War, Interior, and Agriculture and their clerical forces.

"All of the expenses of the commission, including rent in the District of Columbia, all necessary expenses for transportation and subsistence, including in the discretion of the commission a per diem of not exceeding \$4 per day in lieu of subsistence incurred by the commissioners or by their employees under their orders in making any investigation, or conducting field work, or upon official business outside of the District of Columbia and away from their designated points of duty, shall be allowed and paid on the presentation of itemized vouchers therefor approved by a member or officer of the commission duly authorized for that purpose; and in order to defray the expenses made necessary by the provisions of this act there is hereby authorized to be appropriated such sums as Congress may hereafter determine, and the sum of \$100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, available until expended, to be paid out upon warrants drawn on the Secretary of the Treasury upon order of the commission.

"SEC. 3. That the words defined in this section shall have the following meanings when found in this act, to wit:

"'Public lands' means such lands and interest in lands owned by the United States as are subject to private appropriation and disposal under public-land laws. It shall not include 'reservations,' as hereinafter defined.

"'Reservations' means lands and interest in lands owned by the United States and withdrawn, reserved, or withheld from private appropriation and disposal upon the public-land laws and lands and interest in lands acquired and held for any public purpose.

"'Corporation' means a corporation organized under the laws of any State or of the United States empowered to develop, transmit, distribute, sell, lease, or utilize power in addition to such other powers as it may possess, and authorized to transact in the State or States in which its project is located all business necessary to effect the purposes of a license under this act. It shall not include 'municipalities' as hereinafter defined.

"'State' means a State admitted to the Union, the District of Columbia, and any organized Territory of the United States.

"'Municipality' means a city, county, irrigation district, drainage district, or other political subdivision or agency of a

State competing under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power.

"That the term 'navigable waters' as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which through improvement heretofore or hereafter made have been or shall become usable in such commerce.

"'Municipal purposes' means and includes all purposes within municipal powers as defined by the constitution or laws of the State or by the charter of the municipality.

"'Government dam' means a dam or other work constructed or owned by the United States for Government purposes, with or without contribution from others, from which flows surplus water not needed for Government purposes that may be disposed of under the provisions of this act.

"'Project' means a complete unit of improvement or development, consisting of a power house, all water conduits, all dams and appurtenant works and structures (including navigation structures) which are a part of said unit, and all storage, diverting, or forebay reservoirs directly connected therewith, the primary line or lines transmitting power therefrom to the point of junction with the distribution system or with the interconnected primary transmission system, all miscellaneous structures used and useful in connection with said unit or any part thereof, and all water rights, rights of way, ditches, dams, reservoirs, lands, or interest in lands, the use and occupancy of which are necessary or appropriate in the maintenance and operation of such unit.

"'Project works' means the physical structures of a project.

"'Net investment' in a project means the actual legitimate original cost thereof as defined and interpreted in the 'Classification of investment in road and equipment of steam roads, issue of 1914, Interstate Commerce Commission,' plus similar costs of additions thereto and betterments thereof, minus the sum of the following items properly allocated thereto, if and to the extent that such items have been accumulated during the period of the license from earnings in excess of a fair return on such investment: (a) Unappropriated surplus, (b) aggregate credit balances of current depreciation accounts, and (c) aggregate appropriations of surplus or income held in amortization, sinking fund, or similar reserves, or expended for additions or betterments. The term 'cost' shall include, in so far as applicable, the elements thereof prescribed in said classification, but shall not include expenditures from funds obtained through donations by States, municipalities, individuals, or others.

"SEC. 4. That the commission is hereby authorized and empowered—

"(a) To make investigations and to collect and record data concerning the power industry and its relation to other industries and to interstate or foreign commerce, and concerning the location, capacity, development costs, and relation to markets of power sites, and whether the power from navigation dams can be advantageously used by the United States for its public purposes, and what is a fair value of such power, to the extent it may deem necessary or useful for the purposes of this act.

"(b) To cooperate with the executive departments and other agencies of the Government in such investigations; and for such purpose the several departments and agencies are authorized and directed, upon the request of the commission, to furnish such records, papers, and information in their possession as may be requested by the commission, and temporarily to detail to the commission such officers or experts as may be necessary in such investigations.

"(c) To make public from time to time the information secured hereunder, and to provide for the publication of its reports and investigations in such form and manner as may be best adapted for public information and use. The commission, on or before the first Monday in December of each year, shall submit to Congress for the fiscal year preceding a classified report showing the permits and licenses issued under this act, and in each case the parties thereto, the terms prescribed, and the moneys received, if any, on account thereof.

"(d) To issue licenses to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of the United States or any State thereof, or to any State or municipality for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation, and for the development, transmission, and utilization of power across, along, or in any of the navigable waters of the United States, or upon any part of the

public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam, except as herein provided: *Provided*, That licenses shall be issued within any reservation only after a finding by the commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired, and shall be subject to and contain such conditions as the Secretary of the department under whose supervision such reservation falls shall deem necessary for the adequate protection and utilization of such reservation: *Provided further*, That no license affecting the navigable capacity of any navigable waters of the United States shall be issued until the plans of the dam and other navigation structures have been approved by the Chief of Engineers and the Secretary of War. Whenever the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, a finding to that effect shall be made by the commission and shall become a part of the records of the commission: *Provided further*, That in case the commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license therefor shall be issued until two years after it shall have reported to Congress the facts and conditions relating thereto, except that this provision shall not apply to any Government dam constructed prior to the passage of this act.

"(e) To issue preliminary permits for the purpose of enabling applicants for a license hereunder to secure the data and to perform the acts required by section 9 hereof: *Provided, however*, That upon the filing of any application for a preliminary permit by any person or corporation the commission, before granting such application, shall at once give notice of such application in writing to any State or municipality likely to be interested in or affected by such application; and shall also publish notice of such application for eight weeks in a daily or weekly newspaper published in the county or counties in which the project or any part thereof or the lands affected thereby are situated.

"(f) To prescribe rules and regulations for the establishment of a system of accounts and for the maintenance thereof by licensees hereunder; to examine all books and accounts of such licensees at any time; to require them to submit at such time or times as the commission may require statements and reports, including full information as to assets and liabilities, capitalization, cost of project, cost of operation, and the production, transmission, use, and sale of power; and to make adequate provision for currently determining said costs. All such statements and reports shall be made upon oath, unless otherwise specified, and in such form and on such blanks as the commission may require. Any person who, for the purpose of deceiving, makes or causes to be made any false entry in the books or the accounts of such licensee, and any person who, for the purpose of deceiving, makes or causes to be made any false statement or report in response to a request or order or direction from the commission for the statements and report herein referred to shall, upon conviction, be fined not more than \$2,000 or imprisoned not more than five years, or both.

"(g) To hold hearings and to order testimony to be taken by deposition at any designated place in connection with the issuance of any permit or license, or the regulation of rates, service, or securities, or the making of any investigation, as provided in this act; and to require by subpoena, signed by any member of the commission, the attendance and testimony of witnesses and the production of documentary evidence from any place in the United States, and in case of disobedience to a subpoena the commission may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any member, expert, or examiner of the commission may, when duly designated by the commission for such purposes, administer oaths and affirmations, examine witnesses, and receive evidence. Depositions may be taken before any person designated by the commission and empowered to administer oaths, shall be reduced to writing by such person or under his direction, and subscribed by the deponent. Witnesses summoned before the commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

"(h) To perform any and all acts, to make such rules and regulations, and to issue such orders not inconsistent with this act as may be necessary and proper for the purpose of carrying out the provisions of this act.

"SEC. 5. That each preliminary permit issued under this act shall be for the sole purpose of maintaining priority of application for a license under the terms of this act for such period or periods, not exceeding a total of three years, as in the discretion of the commission may be necessary for making examinations and surveys, for preparing maps, plans, specifications, and estimates, and for making financial arrangements. Each such permit shall set forth the conditions under which priority shall be maintained and a license issued. Such permits shall not be transferable, and may be canceled by order of the commission upon failure of permittees to comply with the conditions thereof.

"SEC. 6. That licenses under this act shall be issued for a period not exceeding 50 years. Each such license shall be conditioned upon acceptance by the licensee of all the terms and conditions of this act and such further conditions, if any, as the commission shall prescribe in conformity with this act, which said terms and conditions and the acceptance thereof shall be expressed in said license. Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this act, and may be altered only upon mutual agreement between the licensee and the commission after 90 days' public notice.

"SEC. 7. That in issuing preliminary permits hereunder or licenses where no preliminary permit has been issued the commission shall give preference to applications therefor by States and municipalities provided the plans for the same are deemed by the commission equally well adapted to conserve and utilize in the public interest the navigation and water resources of the region; and as between other applicants, the commission may give preference to the applicant the plans of which it finds and determines are best adapted to develop, conserve, and utilize in the public interest the navigation and water resources of the region.

"That whenever, in the judgment of the commission, the development of any project should be undertaken by the United States itself, the commission shall not approve any application for such project by any citizen, association, corporation, State, or municipality, but shall cause to be made such examinations, surveys, reports, plans, and estimates of cost of the project as it may deem necessary, and shall submit its findings to Congress with such recommendations as it may deem appropriate concerning the construction of such project or completion of any project upon any Government dam by the United States.

"SEC. 8. That no voluntary transfer of any license, or of the rights thereunder granted, shall be made without the written approval of the commission; and any successor or assign of the rights of such licensee, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the license under which such rights are held by such licensee and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original licensee hereunder: *Provided*, That a mortgage or trust deed or sales made thereunder or under tax sales shall not be deemed voluntary transfers within the meaning of this section.

"SEC. 9. That each applicant for a license hereunder shall submit to the commission—

"(a) Such maps, plans, specifications, and estimates of cost as may be required for a full understanding of the proposed project. Such maps, plans, and specifications when approved by the commission shall be made a part of the license; and thereafter no change shall be made in said maps, plans, or specifications until such changes shall have been approved and made a part of such license by the commission.

"(b) Satisfactory evidence that the applicant has complied with the requirements of the laws of the State or States within which the proposed project is to be located with respect to bed and banks and to the appropriation, diversion, and use of water for power purposes and with respect to the right to engage in the business of developing, transmitting, and distributing power, and in any other business necessary to effect the purposes of a license under this act.

"(c) Such additional information as the commission may require.

"SEC. 10. That all licenses issued under this act shall be on the following conditions:

"(a) That the project adopted, including the maps, plans, and specifications, shall be such as in the judgment of the commission will be best adapted to a comprehensive scheme of improvement and utilization for the purposes of navigation, of water-power development, and of other beneficial public uses; and if necessary in order to secure such scheme the commission shall have authority to require the modification of any project

and of the plans and specifications of the project works before approval.

"(b) That except when emergency shall require for the protection of navigation, life, health, or property, no substantial alteration or addition not in conformity with the approved plans shall be made to any dam or other project works constructed hereunder of a capacity in excess of 100 horsepower without the prior approval of the commission; and any emergency alteration or addition so made shall thereafter be subject to such modification and change as the commission may direct.

"(c) That the licensee shall maintain the project works in a condition of repair adequate for the purposes of navigation and for the efficient operation of said works in the development and transmission of power, shall make all necessary renewals and replacements, shall maintain adequate depreciation reserves for such purposes, shall so maintain and operate said works as not to impair navigation, and shall conform to such rules and regulations as the commission may from time to time prescribe for the protection of life, health, and property. Each licensee hereunder shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the dam, reservoir, or of the works appurtenant or accessory thereto, constructed under the license, and in no event shall the United States be liable therefor.

"(d) That after the first 20 years of operation out of surplus earned thereafter, if any, accumulated in excess of a specified rate of return upon the net investment of a licensee in any project or projects under license the licensee shall establish and maintain amortization reserves, which reserves shall, in the discretion of the commission, be held until the termination of the license or be applied from time to time in reduction of the net investment. Such specified rate of return and the proportion of such surplus earnings to be paid into and held in such reserves shall be set forth in the license.

"(e) That the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the commission. When licenses are issued that contemplate the use of Government dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at the end of 20 years after the beginning of operations and at periods of not less than 10 years thereafter, in a manner to be described in each license: *Provided*, That licenses for the development, transmission, or distribution of power by States or municipalities shall be issued and enjoyed without charge to the extent such power is used by such State or municipality for State or municipal purposes; and that licenses for the development, transmission, or distribution of power for domestic, mining, or other beneficial use in projects of not more than 50 horsepower capacity may be issued without charge; but in no case shall a license be issued free of charge for the development and utilization of power created by any Government dam and that the amount charged therefor in any license shall be such as determined by the commission.

"(f) That whenever any licensee hereunder is directly benefited by the construction work of another licensee or of the United States of a storage reservoir or other headwater improvement, the commission may in its discretion require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the commission may deem equitable. The proportion of such charges to be paid by any licensee shall be determined by the commission.

"Whenever such reservoir or other improvement is constructed by the United States the commission shall assess similar charges against any licensee directly benefited thereby, and any amount so assessed shall be paid into the Treasury of the United States to be reserved and appropriated as a part of the special fund for headwater improvements as provided in section 17 hereof.

"(g) Such further conditions not inconsistent with the provisions of this act as the commission may require.

"(h) That combinations, agreements, arrangements, or understandings, express or implied, to limit the output of electrical energy, to restrain trade, or to fix, maintain, or increase prices for electrical energy or service are hereby prohibited. In issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than 50 horsepower capacity, the commission may in its discretion waive such conditions, provisions, and requirements of this act as it may deem equitable in the circumstances.

"SEC. 11. That if the dam or other project works are to be constructed across, along, or in any of the navigable waters of

the United States, the commission may, in so far as it deems the same reasonably necessary to promote the present and future needs of navigation and consistent with a reasonable investment cost to the licensee, include in the license any one or more of the following provisions or requirements:

"(a) That such licensee shall, to the extent necessary to preserve and improve navigation facilities, construct in whole or in part, without expense to the United States, in connection with such dam, a lock or locks, booms, sluices, or other structures for navigation purposes, in accordance with plans and specifications approved by the Chief of Engineers and the Secretary of War and made part of such license.

"(b) That in case such structures for navigation purposes are not made a part of the original construction at the expense of the licensee, then, whenever the United States shall desire to complete such navigation facilities, the licensee shall convey to the United States, free of cost, such of its land and its rights of way and such right of passage through its dams or other structures, and permit such control of pools as may be required to complete such navigation facilities.

"(c) That such licensee shall furnish free of cost to the United States power for the operation of such navigation facilities, whether constructed by the licensee or by the United States.

"SEC. 12. That whenever application is filed for a project hereunder involving navigable waters of the United States, and the commission shall find upon investigation that the needs of navigation require the construction of a lock or locks or other navigation structures, and that such structures can not, consistent with a reasonable investment cost to the applicant, be provided in the manner specified in section 11, subsection (a) hereof, the commission may, before taking action upon such application, cause a report upon such project to be prepared, with estimates of cost of the power development and of the navigation structures, and shall submit such report to Congress with such recommendations as it deems appropriate concerning the participation of the United States in the cost of construction of such navigation structures.

"SEC. 13. That the licensee shall commence the construction of the project works within the time fixed in the license, shall thereafter in good faith and with due diligence prosecute such construction, and shall within the time fixed in the license complete and put into operation such part of the ultimate development as the commission shall deem necessary to supply the reasonable needs of the then available market, and shall from time to time thereafter construct such portion of the balance of such development as the commission may direct, so as to supply adequately the reasonable market demands until such development shall have been completed. The periods for the commencement and completion of construction may be extended by the commission when not incompatible with the public interests. In case the licensee shall not commence actual construction of the project works or of any specified part thereof within the time prescribed in the license or as extended by the commission, then, after due notice given, the license shall, as to such project works or part thereof, be terminated upon written order of the commission. In case the construction of the project works or of any specified part thereof have been begun but not completed within the time prescribed in the license or as extended by the commission, then the Attorney General, upon the request of the commission, shall institute proceedings in equity in the district court of the United States for the district in which any part of the project is situated for the revocation of said license, the sale of the works constructed, and such other equitable relief as the case may demand, as provided for in section 26 hereof.

"SEC. 14. That upon not less than two years' notice in writing from the commission, the United States shall have the right upon or after the expiration of any license to take over and thereafter to maintain and operate any project or projects as defined in section 3 hereof and covered in whole or in part by the license, or the right to take over upon mutual agreement with the licensee all property owned and held by the licensee then valuable and serviceable in the development, transmission, or distribution of power and which is then dependent for its usefulness upon the continuance of the license, together with any lock or locks or other aids to navigation constructed at the expense of the licensee, upon the condition that before taking possession it shall pay the net investment of the licensee in the project or projects taken, not to exceed the fair value of the property taken, plus such reasonable damages, if any, to property of the licensee valuable, serviceable, and dependent as above set forth but not taken, as may be caused by the severance therefrom of property taken, and shall assume all contracts entered into by the licensee with the approval of the commission. The net investment of the licensee in the project or projects so taken and the amount of

such severance damages, if any, shall be determined by agreement between the commission and the licensee, and in case they can not agree, by proceedings in equity instituted by the United States in the district court of the United States in the district within which any such property may be located: *Provided*, That such net investment shall not include or be affected by the value of any lands, rights of way, or other property of the United States licensed by the commission under this act, by the license, or by good will, going value, or prospective revenues: *Provided further*, That the values allowed for water rights, rights of way, lands, or interest in lands, shall not be in excess of the actual reasonable cost thereof at the time of acquisition by the licensee: *Provided*, That the right of the United States or any State or municipality to take over, maintain, and operate any project licensed under this act at any time by condemnation proceedings upon payment of just compensation is hereby expressly reserved.

"Sec. 15. That if the United States does not, at the expiration of the original license, exercise its right to take over, maintain, and operate any project or projects of the licensee, as provided in section 14 hereof, the commission is authorized to issue a new license to the original licensee upon such terms and conditions as may be authorized or required under the then existing laws and regulations, or to issue a new license under said terms and conditions to a new licensee, which license may cover any project or projects covered by the original license, and shall be issued on the condition that the new licensee shall, before taking possession of such project or projects, pay such amount for the property taken, and assume such contracts as the United States is required to do, in the manner specified in section 14 hereof: *Provided*, That in the event the United States does not exercise the right to take over and does not issue a new license to the original or a new licensee, then the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new license is issued as aforesaid.

"Sec. 16. That when in the opinion of the President of the United States, evidenced by a written order addressed to the holder of any license hereunder, the safety of the United States demands it, the United States shall have the right to enter upon and take possession of any project, or part thereof, constructed, maintained, or operated under said license, for the purpose of manufacturing nitrates, explosives, or munitions of war, or for any other purpose involving the safety of the United States, to retain possession, management, and control thereof for such length of time as may appear to the President to be necessary to accomplish said purposes, and then to restore possession and control to the party or parties entitled thereto; and in the event that the United States shall exercise such right, it shall pay to the party or parties entitled thereto just and fair compensation for the use of said property as may be fixed by the commission upon the basis of a reasonable profit in time of peace, and the cost of restoring said property to as good condition as existed at the time of the taking over thereof, less the reasonable value of any improvements that may be made thereto by the United States and which are valuable and serviceable to the licensee.

"Sec. 17. That the charges arising from licenses hereunder shall be paid into the Treasury of the United States. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of national forests is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of Agriculture in the survey, construction, and maintenance of roads and trails within such national forests. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of national parks is hereby reserved and appropriated as a special fund in the Treasury, to be expended under the direction of the Secretary of the Interior in the improvement and development of such parks. Fifty per cent of the charges arising from licenses hereunder for the occupancy and use of public lands, and of national monuments, and power site or other reserves outside of national forests, shall be paid into, reserved, and appropriated as a part of the reclamation fund created by the act of Congress approved June 17, 1902, known as the reclamation act. All proceeds from any Indian reservation shall be placed to the credit of the Indians of such reservation. Fifty per cent of the charges arising from all other licenses hereunder is hereby reserved and appropriated as a special fund in the Treasury to be expended under the direction of the Secretary of War in the maintenance and operation of dams and other navigation structures owned by the United States, or in the construction, maintenance, or operation of headwater or other improvements of navigable waters of the United States.

"Sec. 18. That the operation of any navigation facilities which may be constructed as a part of or in connection with

any dam or diversion structure built under the provisions of this act, whether at the expense of a licensee hereunder or of the United States, shall at all times be controlled by such reasonable rules and regulations in the interest of navigation, including the control of the level of the pool caused by such dam or diversion structure as may be made from time to time by the Secretary of War. Such rules and regulations may include the maintenance and operation by such licensee at its own expense of such lights and signals as may be directed by the Secretary of War, and such fishways as may be prescribed by the Secretary of Commerce; and for willful failure to comply with any such rule or regulation, such licensee shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 25 hereof.

"Sec. 19. That as a condition of the license, every licensee hereunder which is a public-service corporation, or a person, association, or corporation owning or operating any project and developing, transmitting, or distributing power for sale or use in public service, shall abide by such reasonable regulation of the services to be rendered to customers or consumers of power, and of rates and charges of payment therefor, as may from time to time be prescribed by any duly constituted agency of the State in which the service is rendered or the rate charged. That in case of the development, transmission, or distribution, or use in public service of power by any licensee hereunder or by its consumer engaged in public service within a State which has not provided a commission or other authority with power to regulate and control the services to be rendered by such licensee or by its consumer engaged in public service, or the rates and charges of payment therefor, or the amount or character of securities to be issued by any of said parties, it is agreed as a condition of such license that jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved or upon its own initiative, to exercise such regulation and control until such time as the State shall have provided a commission or other authority for such regulation and control: *Provided*, That the jurisdiction of the commission shall cease and determine as to each specific matter of regulation and control prescribed in this section as soon as the State shall have provided a commission or other authority for the regulation and control of that specific matter.

"Sec. 20. That when said power or any part thereof shall enter into interstate or foreign commerce the rates charged and the service rendered by any such licensee, or by any subsidiary corporation, the stock of which is owned or controlled directly or indirectly by such licensee, or by any person, corporation, or association purchasing power from such licensee for sale and distribution or use in public service shall be reasonable, nondiscriminatory, and just to the consumer and all unreasonable discriminatory and unjust rates or services are hereby prohibited and declared to be unlawful; and whenever any of the States directly concerned has not provided a commission or other authority to enforce the requirements of this section within such State or to regulate and control the amount and character of securities to be issued by any of such parties or such States are unable to agree through their properly constituted authorities on the services to be rendered or on the rates or charges of payment therefor, or on the amount or character of securities to be issued by any of said parties, jurisdiction is hereby conferred upon the commission, upon complaint of any person aggrieved, upon the request of any State concerned, or upon its own initiative to enforce the provisions of this section, to regulate and control so much of the services rendered, and of the rates and charges of payment therefor as constitute interstate or foreign commerce and to regulate the issuance of securities by the parties included within this section.

"The administration of the provisions of this section, so far as applicable, shall be according to the procedure and practice in fixing and regulating the rates, charges, and practices of railroad companies as provided in the act to regulate commerce, approved February 4, 1887, as amended, and that the parties subject to such regulation shall have the same rights of hearing, defense, and review as said companies in such cases.

"In any valuation of the property of any licensee hereunder for purposes of rate making, no value shall be claimed by the licensee or allowed by the commission, for any project or projects under license in excess of the value or values prescribed in section 14 hereof for the purposes of purchase by the United States but there shall be included the cost to such licensee of the construction of the lock or locks or other aids of navigation and all other capital expenditures required by the United States, and no value shall be claimed or allowed for the rights granted by the commission or by this act.

"Sec. 21. That when the licensee is a municipal corporation, or a political subdivision of a State, or a public-service agent of a State, or a public utility or service corporation, and can not

acquire by contract or pledges the right to use or damage the lands or property of others necessary to the construction, maintenance, or operation of any dam, reservoir, diversion structure, or the works appurtenant or accessory thereto, it may acquire the same by the exercise of the right of eminent domain in the district court of the United States for the district in which such land or other property may be located, or in the State courts. The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated.

"Sec. 22. That whenever the public interest requires or justifies the execution by the licensee of contracts for the sale and delivery of power for periods extending beyond the date of termination of the license, such contracts may be entered into upon the joint approval of the commission and of the public-service commission or other similar authority in the State in which the sale or delivery of power is made, or if sold or delivered in a State which has no such public-service commission, then upon the approval of the commission, and thereafter in the event of failure to issue a new license to the original licensee at the termination of the license, the United States or the new licensee, as the case may be, shall assume and fulfill all such contracts.

"Sec. 23. That the provisions of this act shall not be construed as revoking any permit or valid existing right of way heretofore granted, or as revoking any authority heretofore given pursuant to law, but any person, association, corporation, State, or municipality, holding or possessing such permit, right of way, or authority may retain the same subject to the conditions set forth in the grant thereof and subject to any and all rules and regulations applicable thereto and existing at the date of the approval of this act, or may apply for a license hereunder, and upon such application the commission may issue to any such applicant a license in accordance with the provisions of this act, and in such case the provisions of this act shall apply to such applicant as a licensee hereunder.

"As to all streams or parts of streams, other than streams the use of which is herein authorized to be licensed, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein: *Provided*, That any applicant who proposes to construct a dam in any such last-mentioned stream or part of stream may at his option make application to the commission, and if the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of navigation in interstate or foreign commerce, the applicant may receive a license under the conditions with all of the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property to interstate or foreign commerce in their ordinary, natural, or improved condition.

"Sec. 24. That any lands of the United States included in any proposed project under the provisions of this act shall from the date of filing of application therefor be reserved from entry, location, or other disposal under the laws of the United States until otherwise directed by the commission or by Congress. Notice that such application has been made, together with the date of filing thereof and a description of the lands of the United States affected thereby, shall be filed in the local land office for the district in which such lands are located. Whenever the commission shall determine that the value of any lands of the United States so applied for, or heretofore or hereafter reserved or classified as power sites, will not be injured or destroyed for the purposes of power development by location, entry, or selection under the public-land laws, the Secretary of the Interior, upon notice of such determination, shall declare such lands open to location, entry, or selection, subject to and with a reservation of the right of the United States or its permittees or licensees to enter upon, occupy, and use any part or all of said lands necessary, in the judgment of the commission, for the purposes of this act, which right shall be expressly reserved in every patent issued for such lands; and no claim or right to compensation shall accrue from the occupation or use of any of said lands for said purposes. The United States or any licensee for any such lands hereunder may enter thereupon for the purposes of this act, upon payment of any damages to crops, buildings, or other improvements caused thereby to the owner thereof, or upon giving a good and sufficient bond to the United States for the use and benefit of the owner to secure the payment of such damages as may be determined and fixed in an action brought upon the bond in a court of competent jurisdiction,

said bond to be in the form prescribed by the commission: *Provided*, That locations, entries, selections, or filings heretofore made for lands reserved as water-power sites or in connection with water-power development or electrical transmission may proceed to approval or patent under and subject to the limitations and conditions in this section contained.

"Sec. 25. That any licensee, or any person, who shall willfully fail or who shall refuse to comply with any of the provisions of this act, or with any of the conditions made a part of any license issued hereunder, or with any subpoena of the commission, or with any regulation or lawful order of the commission, or of the Secretary of War, or of the Secretary of Commerce as to fishways, issued or made in accordance with the provisions of this act, shall be deemed guilty of a misdemeanor, and on conviction thereof shall, in the discretion of the court, be punished by a fine of not exceeding \$1,000, in addition to other penalties herein prescribed or provided by law; and every month any such licensee or any such person shall remain in default after written notice from the commission, or from the Secretary of War, or from the Secretary of Commerce, shall be deemed a new and separate offense punishable as aforesaid.

"Sec. 26. That the Attorney General may, on request of the commission or of the Secretary of War, institute proceedings in equity in the district court of the United States in the district in which any project or part thereof is situated for the purpose of revoking for violation of its terms any license issued hereunder, or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the provisions of this act or of any lawful regulation or order promulgated hereunder. The district courts shall have jurisdiction over all of the above-mentioned proceedings and shall have power to issue and execute all necessary process and to make and enforce all writs, orders, and decrees to compel compliance with the lawful orders and regulations of the commission and of the Secretary of War, and to compel the performance of any condition imposed under the provisions of this act. In the event a decree revoking a license is entered, the court is empowered to sell the whole or any part of the project or projects under license, to wind up the business of such licensee conducted in connection with such project or projects, to distribute the proceeds to the parties entitled to the same, and to make and enforce such further orders and decrees as equity and justice may require. At such sale or sales the vendee shall take the rights and privileges belonging to the licensee and shall perform the duties of such licensee and assume all outstanding obligations and liabilities of the licensee which the court may deem equitable in the premises; and at such sale or sales the United States may become a purchaser, but it shall not be required to pay a greater amount than it would be required to pay under the provisions of section 14 hereof at the termination of the license.

"Sec. 27. That nothing herein contained shall be construed as affecting or intending to affect or in any way to interfere with the laws of the respective States relating to the control, appropriation, use, or distribution of water used in irrigation or for municipal or other uses, or any vested right acquired therein.

"Sec. 28. That the right to alter, amend, or repeal this act is hereby expressly reserved; but no such alteration, amendment, or repeal shall affect any license theretofore issued under the provisions of this act, or the rights of any licensee thereunder.

"Sec. 29. That all acts or parts of acts inconsistent with this act are hereby repealed: *Provided*, That nothing herein contained shall be held or construed to modify or repeal any of the provisions of the act of Congress approved December 19, 1913, granting certain rights of way to the city and county of San Francisco."

And the House agree to the same.

T. W. SIMS,
SCOTT FERRIS,
A. F. LEVER,
JOHN J. ESCH,
WM. L. LA FOLLETTE,
G. N. HAUGEN.

Managers on the part of the House.

J. H. BANKHEAD,
D. U. FLETCHER,
KEY PITTMAN,
H. L. MYERS,
KNUTE NELSON,

Managers on the part of the Senate.

I do not concur in the first amendment made by the conferees to subsection (d), section 10.

G. N. HAUGEN.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1419) to amend an act entitled "An act to regulate the construction of dams across navigable waters," approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of interstate and foreign commerce, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the conference report.

The conferees adopted as the basis of their report the House amendment. The amendments which were made in conference were made to the House amendment. The references by sections are to the House amendment.

The first amendment is as follows: At the end of section 2 add the words "and their clerical forces." The amendment simply declares that the clerical forces of the Departments of War, Interior, and Agriculture shall so far as practicable perform the work of the Water Power Commission.

The next amendment is in section 3. In the definition of the word "corporation" the words "sell, lease," are inserted after the word "distribute," and after the word "power" the words "in addition to such other powers as it may possess" are inserted. This amendment is an enlargement of the definition of the word "corporation."

The next amendment is the insertion of the definition of the term "navigable waters." There was no corresponding definition in the House amendment, and the definition inserted is exactly as passed by the Senate.

The next amendment is the changing of the word "navigation" in the definition of "navigation dam" to that of "Government," and this change is carried all through the bill. It is thought that "Government dam" is a more comprehensive and clearer expression of what is intended than the expression "navigation dam." In the definition of the term "Government dam" the words "the improvement of navigation" are stricken out and the words "Government purposes" are inserted. In the opinion of the conference committee this is a proper change, as it is thought to be more comprehensive.

The next amendment occurs in section 4, subsection (c). The amendment of the House provides that the commission might make public such portions of the information secured under the authority of this act as it might deem expedient in the public interest. The amendment provides that all information shall be made public, and is as follows: Strike out the words "such portions of" after the word "time" and strike out the words "as it shall deem expedient in the public interest" after the word "hereunder." In the same paragraph the words "and in each case" are inserted, so as to provide that in each license issued the names of the parties thereto, the terms prescribed, and the moneys received shall be made public.

The next amendment is in subsection (d). The words "the majority of the stock of which is owned by citizens of the United States" are stricken out, and the words "organized under the laws of the United States or any State thereof, or to any" are inserted in lieu thereof.

The next amendment is to strike out the word "its" before the word "public," in the third proviso, and after the word "purposes" the insertion of the words "in addition to navigation," so that the proviso will read:

"That in case the commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license therefor shall be issued until two years after it shall have reported to Congress the facts and conditions relating thereto, except that this provision shall not apply to any Government dam constructed prior to the passage of this act."

The next amendment is in section 7. The word "hereunder," which occurs after the word "licenses," is transposed and placed after the word "permits," and after the word "licenses" the words "where no preliminary permit has been issued" are inserted; and in the same paragraph after the word "commission" the words "equally well" are inserted. Your committee thought these changes were in the interest of clarity. In section 7, second paragraph, after the word "project," in the last line, the words "or completion of any project upon any Government dam" are inserted. It is thought that this amendment would prove of benefit to the Government in the protection of its own property.

The next amendment is in section 8, as follows: At the end of the section add the following:

"Provided, That a mortgage or trust deed or sales made thereunder or under tax sales shall not be deemed voluntary transfers within the meaning of this section."

This amendment is put in only for the purpose of making more clear the evident intent of the paragraph and to avoid any confusion thereunder.

The next amendment is in section 10, subsection (c), and is as follows: Strike out of said subsection the words "Each license issued hereunder shall contain an express condition that the licensee shall, before the commencement of the construction of said project works, comply with all laws of the State in which said project works, or any part thereof, are to be situated relative to damages that may be caused, directly or indirectly, by said proposed project works; but the United States shall not be liable for any part of said damages," and insert in lieu thereof the following: "Each licensee hereunder shall be liable for all damages occasioned to the property of others by the construction, maintenance, or operation of the dam, reservoir, or of the works appurtenant or accessory thereto constructed under the license, and in no event shall the United States be liable therefor." The purpose of this amendment is to provide that the licensee shall pay all damages caused to the property of others. It is thought that the proposed amendment accomplishes this more perfectly than the language stricken out.

Section 10, subsection (d), is the so-called amortization section. The bill as passed the House provided that this amortization feature should be incorporated into the license from the beginning of the term of the grant. The House amendment as amended in conference provides that this amortization feature shall not become effective until after the expiration of the first 20 years of operation. There is also stricken from this subsection the last sentence.

The next amendment is in subsection (e) of section 10. The second sentence of that subsection, as passed the House, down to the proviso is as follows:

"When licenses are issued that contemplate the use of navigation dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at periods of not less than 10 years, in a manner to be described in each license."

As amended the sentence reads as follows:

"When licenses are issued that contemplate the use of Government dams or other structures owned by the United States, in the discretion of the commission the charges to be paid by the licensee may be readjusted at the end of 20 years after the beginning of operations and at periods of not less than 10 years thereafter, in a manner to be described in each license."

The next amendment is in subsection (f) of section 10. The first paragraph of the section, as it passed the House, reads as follows:

"That whenever any licensee hereunder is directly benefited by the construction by another licensee of a storage reservoir or other headwater improvement, the commission may in its discretion require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the commission may deem equitable. The proportion of such charges to be paid by any licensee shall be set forth in the license, and all amounts so received by any licensee shall be paid into a special amortization reserve, for the retirement of the cost of such reservoir or other improvement."

As amended the paragraph is as follows:

"That whenever any licensee hereunder is directly benefited by the construction work of another licensee or of the United States of a storage reservoir or other headwater improvement, the commission may in its discretion require as a condition of the license that the licensee so benefited shall reimburse the owner of such reservoir or other improvements for such part of the annual charges for interest, maintenance, and depreciation thereon as the commission may deem equitable. The proportion of such charges to be paid by any licensee shall be determined by the commission."

In the opinion of your conferees these changes are necessary in order to make the section workable.

The next amendment is in subsection (h), section 10, and is as follows: At the end of the paragraph add:

"In issuing licenses for a part only of a complete project, where the land of the United States required is to be used only for transmission lines, water conduits, or for storage reservoirs, or for a complete project of not more than fifty horsepower capacity, the commission may in its discretion waive such conditions, provisions, and requirements of this act as it may deem equitable in the circumstances."

It is thought by your conferees that such discretion should be vested in the commission.

The next amendment is in section 14. The Senate recedes from its disagreement to this section with an amendment as

follows: After the word "taken" where it first occurs in the section insert the words "not to exceed the fair value of the property taken," and the House agrees to the same.

The next amendment is at the end of section 15, and is as follows:

"Provided, That in the event the United States does not exercise the right to take over and does not issue a new license to the original or a new licensee, then the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new license is issued as aforesaid."

The next amendment is in the third paragraph of section 20, and is as follows: At the end of the section add the words "but there shall be included the cost to such licensee of the construction of the lock or locks or other aids of navigation and all other capital expenditures required by the United States, and no value shall be claimed or allowed for the rights granted by the commission or by this act." It is thought that this amendment should be inserted in order that there might be no misunderstanding that it was the intention and purpose of Congress that the expenditures set forth in the amendment should be included for the purposes of rate making. Some of your conferees were of the opinion that this was clearly set forth in the section as it passed the House, but in order that there be no misunderstanding the amendment was agreed to.

The next amendment is at the end of section 21, and is as follows:

"The practice and procedure in any action or proceeding for that purpose in the district court of the United States shall conform as nearly as may be with the practice and procedure in similar action or proceeding in the courts of the State where the property is situated."

The next amendment is in section 23, and is a new paragraph added to that section, as follows:

"As to all streams or parts of streams other than streams the use of which is herein authorized to be licensed, over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, permission is hereby given to construct dams therein: *Provided*, That any applicant who proposes to construct a dam in any such last-mentioned stream or part of stream may at his option make application to the commission, and if the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of navigation in interstate or foreign commerce, the applicant may receive a license under the conditions with all of the rights and privileges herein provided for streams or parts of streams used for the transportation of persons or property in interstate or foreign commerce in their ordinary, natural, or improved conditions."

This amendment is only an amplification of the Senate definition of "navigable waters." In our opinion the amendment grants no additional jurisdiction or rights.

T. W. SIMS.
SCOTT FERRIS.
A. F. LEVER.
JOHN J. ESCH.
WM. L. LA FOLLETTE.
G. N. HAUGEN.

Mr. SIMS. Mr. Speaker, I expect to move the previous question before the hour expires. I thought it would be fair to the members of the conference committee that I should retain 20 minutes for members of the Interstate Commerce Committee who are on the conference committee, one-half of that time to be yielded to the gentleman from Wisconsin [Mr. ESCH], 20 minutes to the gentleman from Oklahoma [Mr. FERRIS], and 20 minutes to the gentleman from South Carolina [Mr. LEVER], to be yielded by them as they see proper. I will yield this time for Members to discuss the report, but I expect to retain the floor for the purpose of moving the previous question. How will that suit the gentleman from Wisconsin.

Mr. ESCH. The gentleman can not get more than one hour for the consideration of the conference report?

Mr. SIMS. The Speaker said he would not recognize anybody to call up a conference report who would not agree to move the previous question at the end of an hour. I promptly agreed to do so.

Mr. ESCH. The gentleman will divide the time among the three committees?

Mr. SIMS. Yes; what does the gentleman say to that arrangement?

Mr. MANN. Are all of these gentlemen in favor of the conference report?

Mr. SIMS. I think they are.

Mr. MANN. That would be a pretty situation, to have an hour divided all among gentlemen in favor of the report. What is the use of taking any time at all?

Mr. SIMS. Those gentlemen can yield to whoever they please.

Mr. MANN. That is just it; they can.

Mr. SIMS. I have not heard of any gentleman being against the report.

Mr. WALSH. I am.

Mr. MANN. Several people are against it. I think it would take more than an hour to explain it to me.

Mr. SIMS. The bill was before the House last summer for two or three weeks and very fully discussed.

Mr. MANN. Not this bill. This bill has never been explained to the House. I am not complaining about the time. If the gentleman wants to move the previous question and agree to it without any discussion at all, I am willing to vote against it, but to agree to an hour's time to be wholly used by those in favor of it is of no use.

Mr. SIMS. I do not know of anyone opposed to it.

Mr. WALSH. Will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. If the gentleman knows of nobody who is opposed to it, I will ask him how anybody could be opposed to it with time controlled by three gentlemen in favor of it. This bill has been in conference several months.

Mr. SIMS. As far as I know everybody is in favor of it. I will yield time to the gentleman from Massachusetts.

Mr. WALSH. People opposed to it ought to have some amount of the time.

Mr. LA FOLLETTE. If the gentleman from Tennessee will yield, I think there is a misapprehension as to the division of this time. The gentleman is simply dividing the time between the three committees, 20 minutes to each committee, and the Member representing the committee can yield the time to those opposed to it?

Mr. SIMS. Yes.

Mr. MANN. And if they do not want to they can give none.

Mr. LA FOLLETTE. There is no disposition not to give opponents part of the time.

Mr. SIMS. I assume that gentlemen would not do such a thing as that.

Mr. LA FOLLETTE. Not if they were gentlemen.

Mr. SIMS. I would not do such a thing.

Mr. MANN. But the gentleman is proposing it.

Mr. SIMS. Mr. Speaker, I submit this request for unanimous consent.

Mr. WALSH. The gentleman does not have to ask for unanimous consent; he controls the entire hour. What is the need of unanimous consent?

Mr. SIMS. I am a member of the Interstate and Foreign Commerce Committee, the gentleman from Oklahoma [Mr. FERRIS], is a member of the Committee on the Public Lands, and the gentleman from South Carolina [Mr. LEVER] is a member of the Committee on Agriculture.

Mr. MANN. The gentleman has the authority to yield, but he can not do it by unanimous consent.

Mr. SIMS. The chairmen of these different committees know better to whom to yield than I do.

Mr. MANN. The gentleman has the authority to yield, if he pleases, but he can not do it by unanimous consent.

Mr. SIMS. I only wanted to see if it would meet with unanimous consent. Mr. Speaker, I give notice that I reserve one minute at the end of the hour in which to move the previous question within the hour. As I understand it, the time for debate begins now?

The SPEAKER pro tempore. Yes.

Mr. SIMS. Mr. Speaker, I want to say in as few words as possible, so as to make myself clear, that the bill as agreed to in conference, so far as the fundamental provisions of the bill are concerned, so far as any question of principle is concerned, is practically in all respects just as it passed the House. The difference between the Senate and the House on fundamental matters was on the recapture clause, on the question of the amount to be charged by the Government for power. The charge provisions of the bill are exactly as they passed the House, no change whatever. Section 10, subsection (e) provides that the licensee shall pay to the United States reasonable annual charges in an amount to be fixed by the commission. There is no maximum and no minimum. We simply give the commission the power—and that is exactly as it passed the

House—to make reasonable annual charges, so that the commission can control each and every project as to charges with regard to the special conditions that may surround any particular project. On the net investment or recapture clause of the bill, section 14, the Senate recedes from its disagreement to this section, with an amendment as follows:

After the word "taken," where it occurs first in the section, insert the words "not to exceed the fair value of the property taken."

Section 14, as it passed the House, provided for payment to licensee, upon recapture, of the net investment. Gentlemen will remember that the gentleman from Oklahoma [Mr. FERRIS] fought that very bitterly upon the idea that the property might be depreciated in value; that unnecessary expense might have been incurred in the construction; and that the net investment would exceed the fair value or the reasonable value, or even just compensation at the end of the license period, and this amendment which has been agreed to in conference "not to exceed the fair value," retains the net investment provisions as to the cost accounting and everything else; nothing is stricken out of section 14, nothing is taken away from the net investment provisions of the bill, and the only words added are the ones that I just referred to, "not to exceed the fair value of the property taken." That is the only change there is in section 14, which is called the recapture section.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. WALSH. Does the bill define the meaning of the words "fair value?"

Mr. SIMS. No.

Mr. WALSH. But it does of "net investment."

Mr. SIMS. It does of net investment, and I will say to the gentleman it does not make a definition of "fair value." It does say what the net investment shall be, but from this net investment are to be deducted certain elements of value, such as going concern, good will, increased value of land furnished by the United States, and so on. The fair value, of course, will be limited by these deductions, because these deductions are made to apply to the net investment, as provided in the law. The net investment means what the investor has put in the project, but not to exceed the fair value of the property taken, retaining all the limitations in the bill touching the net investment, although it does not define the words "fair value."

Mr. WALSH. What is added to it by those words?

Mr. SIMS. I will state that the conferees thought that the net investment at the end of the license period on account of loss of markets or the run-down condition of the property or something of that sort, that the exchange or commercial value might be less than the net investment. In other words, the net investment might show \$100,000, but the property might not have a commercial value of exceeding \$50,000, and that if anybody except the Government or a municipality or a State was going to purchase this property he would not have to pay more than its actual value, whatever that might be, and this amendment is to save the Government or the State or the municipality from having to pay the net investment when the net investment as shown by the books of the company exceeds the exchange or ordinary commercial value of the property. It is to protect the United States Government, the States, and municipalities that may desire to take over the property.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SIMS. Yes.

Mr. RAKER. In section 15 of the bill, lines 7 to 13 of the confidential prints, page 24, the conferees added a new proviso to the effect that if the United States does not exercise the right to take over and does not enter into a new lease with the original or a new lessee, the commission shall issue from year to year an annual license to the then licensee under the terms and conditions of the original license until the property is taken over or a new lease entered into as aforesaid. Is it the purpose to allow the original licensee to continue from year to year just as long as he wants to, or what was the object of that amendment?

Mr. SIMS. That is not the purpose of it. The argument was made in considering this bill by investors and by the bond houses that if the license period should end abruptly and the Government did not take it over and a municipality or State did not take it over, and no new licensee had applied for a new license, that we would abruptly terminate the service of the project, though it might be delivering power to a municipality, a State, or a manufacturing concern, and the Senate conferees were very insistent upon not having a possible hiatus. This provision only provides that until the Government acts or the State or the municipality acts or a new license is granted.

Mr. RAKER. In other words, the original terms granted to the first licensee without any interruption or diminution continues up to its end.

Mr. SIMS. Yes.

Mr. RAKER. But if the Government fails to take it over or it can not get a new licensee to the end that the project does not cease, that the public are not inconvenienced, the licensee may continue from year to year at a rental fixed in the original lease to operate the plant.

Mr. SIMS. Yes; that is it. Now, there is another change, but I do not think that is a fundamental change. It was not contrary to any principle in the bill. In the House bill, as it passed, where dams built by the Government were leased the Government retained the right to readjust the rentals in periods of not less than 10 years. Some of the conferees insisted that it would be wiser and better to make the first period 20 years from the beginning of operation and then every 10 years thereafter. It does not change the principle of the right to readjust, but prevents readjustment for that period of time when it is reasonable to suppose the property would not be earning the amount that it would after it had been in operation for some time. These three changes, the one covering the hiatus, the other providing that in recapture the net investment should not exceed the fair value, are all that are material. We have a number of minor changes which the report and statement set out, but those are all that are fundamental or that in any way affect the fundamental principles in the bill. I want to say it is the best all-around water-power bill that has ever been reported in the House or Senate or that has ever passed either House, and it is better now than it was when the Senate passed it or when it passed the House. All kinds of water-power development are provided for—Government water-power development, State water-power development, municipal water-power development, private corporation water-power development, individual water-power development, or development of water powers by associations of individuals. Potentially every kind and character of water-power development can be had under the provisions of the bill.

Mr. SINNOTT. Will the gentleman yield?

Mr. SIMS. How much time have I used?

The SPEAKER pro tempore. The gentleman has used nine minutes.

Mr. SIMS. I will have to yield according to what I said to the gentleman from Wisconsin [Mr. ESCH].

Mr. SINNOTT. The gentleman from Minnesota [Mr. ANDERSON] secured an amendment to the bill in the House permitting municipalities to take the property before the end of the term by paying just compensation. Is that still in the bill?

Mr. SIMS. It remains in the bill as it passed the House.

Mr. SINNOTT. Then in regard to another section.

Mr. SIMS. That meant, as I understood at the time in the House, that the Government has the right to take over a project at any time before the expiration of the license period by paying just compensation.

Mr. SINNOTT. Another question: Is there anything now in the bill or conference report fixing the measure of the fair value or the manner in which the fair value is to be determined?

Mr. SIMS. There is no new legislation in the conference report defining fair value, as I have just said a moment ago in reply to an inquiry of the gentleman from Massachusetts [Mr. WALSH]. Mr. Speaker, how much time have I used?

The SPEAKER pro tempore. The gentleman has used one minute more, making in all 10 minutes.

Mr. SIMS. I will reserve one minute for myself, making 11 minutes, and I will yield to the gentleman from Wisconsin [Mr. ESCH], if he desires to debate or discuss the report for that purpose.

Mr. ESCH. I would like to yield part of the time to the gentleman from Illinois.

Mr. SIMS. That is all right. I yield to the gentleman from Wisconsin [Mr. ESCH] 10 minutes, to be yielded as he sees proper.

Mr. ESCH. Mr. Speaker, the Senate passed what is known as the Shields bill, which only relates to the construction of dams upon navigable waters, the jurisdiction of which being vested in the Secretary of War. The House bill, recommended by the joint water-power committee, embraces in a single measure the construction of dams upon navigable waters, upon the public domain, and in the forest reserves. In order to do this the bill provides for the creation of a commission consisting of the three secretaries—the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture. These differences in the plan and scope of these two measures constituted one of the chief obstacles to the conferees getting together on the pending bill. There was much opposition on the part of the Senate conferees to the plan of a commission of Cabinet officers. The House conferees, however, prevailed in their contention. We maintained the administrative features in the House bill throughout. One of the principal changes made by

the conferees in the bill as it left the House relates to the definition of "navigable waters." No definition was contained in the House bill. The House conferees accepted the definition in the Shields bill. Another change made in conference related to the matter of creating amortization reserves. As the bill left the House these amortization reserves were to begin at the beginning of the term. As amended the amortization reserves are not required to be created until 20 years after the time the project goes into operation. The House conferees agreed to the compromise. Another change made by the conferees related to the readjustment of charges on Government dams. As the bill left the House these charges were to be readjusted at intervals of 10 years after the project goes into operation. Under the conferees' agreement this readjustment was changed so that it could not be made until 20 years after the project went into operation and thereafter at 10-year intervals.

The recapture clause was changed by the conferees by the addition of these words, "shall not exceed the fair value of the property taken." I resisted that amendment of the conferees as long as I could, but yielded ultimately. I had been in favor of the net investment as a basis for recapture and the basis for rate making, believing that net investment was a fixed, determined amount and could be ascertained at any day, month, or year. Another change made by the conferees was to take care of the hiatus which under the House bill resulted at the end of the termination of the period of 50 years. As the bill left the House, at the end of the 50-year period the licensee merely became what might be called a tenant at sufferance. That was a doubtful status, and one which would create hesitancy on the part of investors in lending money to the licensee. In conference we adjusted this difficulty in this way: We gave the commission the power, after the termination of the 50 years, to extend the license for periods of one year and until the Government either took over the project itself or found a new licensee. Another change made by the conferees was in reference to the basis for rate making. In the House bill the basis for rate making was practically the net investment, but there was some doubt expressed by the Senate conferees that the terms used would not authorize the commission to allow to the licensee the cost for the construction of locks, aids to navigation, or other capital expenditures. Personally I believe that the net-investment definition covered the matter, but to remove all doubt we provide that for the purpose of rate making the commission shall take in account the cost to the licensee of the construction of lock or locks, aids to navigation, or capital expenditures.

I wish to state, Mr. Speaker, that the conferees labored long and hard to bring about an agreement between the Houses. For 10 years there has been a conflict between the Houses on the matter of water-power legislation, and the rock upon which the two Houses have split for most of this period is the one which gave to the Government the right to exact a charge for the development of water power. This bill gives the commission the power to demand such charge. The Senate has uniformly denied the right of the Government to exact a charge for the development of water power. This, to my mind, was the crucial question which divided the Houses, and upon this crucial question the Senate has receded and the House has won its contention.

Mr. SINNOTT. Will the gentleman yield?

Mr. ESCH. For just a moment.

Mr. SINNOTT. I notice in section 23 that a permit may be given for a dam on a nonnavigable feeder of a navigable stream.

Mr. ESCH. I will state that amendment was presented by the gentleman from Washington [Mr. LA FOLLETTE]. My time has about elapsed, and I will suggest that the inquiry be put to him.

Mr. SINNOTT. I wanted to get the gentleman's view. I understand it is not compulsory upon the applicants to apply for that permit. That is optional, and that one building a dam on the nonnavigable stream is not compelled to apply to the commission for permission unless he sees fit?

Mr. ESCH. Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. The gentleman has used eight minutes.

Mr. SINNOTT. I understand the gentleman agrees with me on that?

Mr. ESCH. That is my opinion.

Mr. Speaker, I yield the balance of my time to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I get two minutes out of this hour. The gentlemen in favor of the bill get the balance of the time.

Mr. LA FOLLETTE. Mr. Speaker, I yield to the gentleman three minutes out of my time.

Mr. MANN. Then I get five minutes out of the hour. I am much obliged.

I would like to take two or three minutes to express my confidence in the members of the conference committee. I have been working along with them on this subject, some of them, for many years, and I have a great deal of confidence in their judgment. I need not say I have a great deal of confidence in their integrity or purpose and their intelligence, because it would be impossible for one who knows them half as well as I do not to have. And yet here is a conference report upon an extremely important subject presented to Congress in the closing days, when everybody is pressed almost beyond endurance; printed in the Record, it is true, with an hour's discussion permitted, of which, so far as I know, those opposed to it get five minutes, and the subject proposed to be disposed of in that way after a controversy lasting 8 or 10 years. Now, just for instance, I want to call attention to one thing in the conference report. The gentleman from Oregon [Mr. SINNOTT] just suggested it was not necessary to get a permit for the construction of a dam on a stream which was nonnavigable. Of course, the Government has no control whatever over a stream that is nonnavigable unless it be on Government property. There can be no question about that. But it has always been contended by the Government that if a stream which was navigable here, say, and up at the other end of this aisle, it was a navigable stream in the eye of the law all the way. The Government has always maintained and the courts have always held, under the contention of the Government, that a stream that was navigable was navigable, not in parts here and there and elsewhere. Of course, nobody builds a dam as a rule right where a stream is navigable. Here is the Potomac River, a navigable stream, up here where the rapids are and where the falls are. It would take an act of Congress to authorize the construction of a dam there, but under the terms of this conference report it is nonnavigable.

The gentleman from Oregon [Mr. SINNOTT] shakes his head. He is not familiar with it. I call his attention to the definition.

That the term "navigable waters" as used in this act and as applied to streams shall be construed to include only such streams or parts of streams as are in their ordinary natural condition used for the transportation of persons or property in interstate or foreign commerce or which, through improvements, heretofore or hereafter may have been or shall become usable in such commerce.

Here is a stream that is navigable. It has rapids or falls in it, a place where you can construct a dam. Usually it is not navigable there. Now, under the terms of this bill, where they can construct a dam it is declared nonnavigable, and, under the law, where it is nonnavigable it is controlled wholly by the States. The Federal Government has nothing to do with it. Here is the definition of navigable streams which puts the Government of the United States out of court.

Mr. LA FOLLETTE. Will the gentleman yield?

Mr. MANN. I yield.

Mr. LA FOLLETTE. In section 23 of the bill it is amplified as carrying out the idea suggested by the gentleman, that the Government has control of streams that are navigable in part, although they are not navigable right at the time. And it says the commission can grant licenses in that kind of a stream provided the licensee asks for it.

Mr. MANN. Oh, well, the gentleman from Oregon just showed it was not necessary for a man to ask for a license from the Government. And the Government either has control or it has not. The Government of the United States can not grant a license for the construction of a dam across a nonnavigable stream in a State. We have got no more to do with it than the King of England.

Mr. SINNOTT. Will the gentleman yield?

Mr. MANN. Yes.

Mr. SINNOTT. My question was merely directed to a nonnavigable feeder of a navigable stream.

Mr. MANN. It was directed to the point to which the gentleman from Washington directed his statement.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HAUGEN. Does the gentleman desire more time? If you do, I will grant you five minutes.

Mr. MANN. Is my time up?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MANN. The gentleman has yielded me more time. I will take a minute.

Mr. SIMS. Mr. Speaker, I understand it is to come out of the time that goes to the Committee on Agriculture?

Mr. MANN. I am not complaining.

Mr. HAUGEN. I yield five minutes to the gentleman from Illinois.

Mr. MANN. I shall not occupy the full five minutes. I do not want to take all the time of those who may be opposed to the proposition. I have called attention to one glaring defect

in this report, which apparently gives away the whole case of the Government.

You can define all you please what the terms are, where a dam is to be constructed in a navigable stream under the control of the Government, and put in all you please about how much they shall pay, and nobody who wants to construct a dam will complain if at the same time you tell them that where they want to construct it it does not come within the control of the Government. Here is the definition of navigable waters as applied to streams, which exempts practically every place in the United States where you can build a dam. Why, Muscle Shoals were not navigable, yet we had a great contest. Nobody doubted that the river at that point was called a navigable river, because it was navigable above and below; but, under the terms of this definition, it was declared nonnavigable, and when it is declared nonnavigable the Government of the United States has nothing more to do with it. It is purely within the control of the State, because the only authority which the General Government has over the flowing water is on the ground of the control of navigation.

Now, I will let the gentlemen wrestle with that proposition a little while.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman permit a question?

Mr. MANN. Yes.

Mr. COOPER of Wisconsin. Is not this report on this bill, in company with others, a report upon a bill introduced away back in 1917? I have not a copy of the bill, but I see that this conference report here was filed and ordered printed February 26; that is, day before yesterday. It says, "To accompany Senate bill 1419." Was not that bill introduced away back in 1917?

Mr. MANN. I suppose it was introduced probably the first day that this Congress met. It was acted upon by the Senate a long time ago and acted upon by the House a long time ago, so far as that is concerned, and even that was not the beginning. This controversy has been pending for many years. This House, while I was not here, created a special water-power committee, as I understand, composed of members of other committees, which I think was a very appropriate thing to do.

Mr. COOPER of Wisconsin. The reason I asked the question of the gentleman from Illinois was to call attention to the fact that this legislation, than which there is hardly anything of an industrial character to be conceived of greater in importance, is pending between the two Houses month after month. Finally it is brought up here, within two or three days of the final adjournment of this Congress, and there is no opportunity for fair discussion. It is the old system, which I have seen put in practice here ever since I have been a Member of the House.

Mr. MANN. Oh, it is a good deal better than the system which was in the House when the gentleman from Wisconsin came into the House and when I came into the House, in this respect, that it was not then the practice nor the custom to ever print a conference report in the Record, and that was not done until I made a holy terror of a kick in the House, reactionary as I was. [Applause.]

Mr. HAUGEN. Mr. Speaker, I yield two minutes to the gentleman from Illinois [Mr. Mason].

The SPEAKER pro tempore. The gentleman from Illinois is recognized for two minutes.

Mr. MASON. Mr. Speaker, I am not specially interested in the dam discussion in this bill, and I say reverently that I do not give a damn for the dams. I wish to emphasize the word "reverently." [Laughter.] But I am interested, Mr. Speaker, in the proposition of bringing home the American boys, and we are now in this situation: In the two minutes that I have I desire simply to say a word, and I again give notice that there shall be a quorum here. I see from the newspapers that the President has announced that there will be no extra session and no chance for Congress to be in session and pass upon the question of demobilization in the Army camps of this country. According to the mail that I have from the boys there, there has been no fair show in the execution even of the orders issued by the War Department. To-day, with 41 cruisers and 39 battle-ships, we are bringing home a less number of boys every month than we sent over at a critical time. I have asked for a resolution here to have a committee appointed that shall sit during the session to hear the question and determine questions of demobilization.

Mr. Speaker, I am addressing my colleagues, and if I should appear at any time to make a dilatory motion it is for this reason, that the men, women, and children of this country are suffering, the farmers are suffering, because the little men with big epaulets keep the boys in the service regardless of the fact that they have furnished the necessary affidavits for discharge. They are not bringing the men home as rapidly as they can and as they should. I make the point now—

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. MASON. I have not spoken a minute.

The SPEAKER pro tempore. When the gentleman challenges the accuracy of the Chair, the clock says two minutes.

Mr. MASON. I yield to the clock and also to the Chair.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. Sims] is recognized.

Mr. MASON. Mr. Speaker, I make the point of no quorum.

SEVERAL MEMBERS. Oh, no!

Mr. MASON. Oh, yes. Let us stay. There is no quorum. Count them.

The SPEAKER pro tempore. The gentleman from Illinois makes the point of no quorum.

Mr. SIMS. Mr. Speaker, how much more time does the gentleman want?

Mr. MASON. I want five minutes.

Mr. RAKER. Mr. Speaker, I move a call of the House.

The SPEAKER pro tempore. The gentleman from California moves a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Estopinal	Kincheloe	Sherley
Ashbrook	Fairchild, G. W.	Langley	Shouse
Barnhart	Fairfield	Lehlbach	Slomp
Birch	Fisher	Linthicum	Smith, C. B.
Blackmon	Flynn	Miller, Minn.	Smith, T. F.
Bland, Ind.	Focht	Mondell	Snell
Booher	Foss	Morin	Steele
Britten	Francis	Neely	Stephens, Miss.
Brodbeck	Frear	Nelson, J. M.	Stephens, Nebr.
Brumbaugh	Goodall	Nicholls, S. C.	Strong
Buchanan	Gray, N. J.	O'Shaunessy	Sullivan
Burroughs	Gregg	Overmyer	Summers
Butler	Griffin	Park	Swift
Candler, Miss.	Hamill	Porter	Tague
Carlin	Hamilton, N. Y.	Pou	Taylor, Ark.
Cary	Heaton	Powers	Templeton
Chandler, N. Y.	Heintz	Price	Thomas
Church	Helm	Ragsdale	Towner
Cooper, Ohio	Hersey	Reavis	Vare
Copley	Hood	Reed	Vinson
Costello	Houston	Riordan	Voigt
Cox	Howard	Roberts	Waldow
Davey	Hull, Tenn.	Rowland	Weaver
Dent	Johnson, Ky.	Russell	Webb
Dies	Kahn	Sanford	White, Ohio
Dooling	Kehoe	Scully	Wilson, Ill.
Doremus	Kelley, Mich.	Sears	Woodward
Drukker	Kennedy, R. I.	Sells	Wright
Emerson	Key, Ohio	Shackleford	Zihlman

The SPEAKER pro tempore. On this call 312 Members have answered present—a quorum.

Mr. CRISP. Mr. Speaker, I move to dispense with further proceedings under the call.

The SPEAKER pro tempore. The gentleman from Georgia moves to dispense with further proceedings under the call.

The motion was agreed to.

Mr. SIMS rose.

The SPEAKER pro tempore. The Doorkeeper will unlock the doors. The gentleman from Tennessee is recognized.

Mr. MASON. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. MASON. I rise to make a motion to adjourn.

Mr. SIMS. I move the previous question on the adoption of the conference report. If we are going to have a regular filibuster, why, let us have it.

Mr. WALSH. Oh, well, the gentleman had previously agreed that there should be one hour of debate.

Mr. SIMS. I know I had, but the gentleman from Illinois is wasting the time in filibustering.

Mr. WALSH. He has a right to do it.

Mr. SIMS. Of course he has a right to do it, and I have a right to move the previous question.

The SPEAKER pro tempore. The Chair recognized the gentleman from Tennessee. The gentleman from Illinois rose and addressed the Chair, and the Chair asked him for what purpose he rose. He said, "I rise to make a motion to adjourn." That does not constitute a recognition.

Mr. WALSH. That is just what I was going to contend, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. Sims] has been recognized.

Mr. SIMS. We are going to dispose of this conference report to-night, or as soon as possible. If the gentleman wants to debate the bill, I am willing—

Mr. MASON. Mr. Speaker, a parliamentary inquiry. The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. MASON. I want to inquire whether the motion to adjourn is in order?

The SPEAKER pro tempore. The motion to adjourn is always in order when a gentleman gets recognition to make it; but the gentleman from Tennessee [Mr. SIMS] has the floor and has an hour.

Mr. MASON. And the Chair now rules, as I understand the ruling, that he did not recognize me because I had made a motion to adjourn?

The SPEAKER pro tempore. The Chair never recognized the gentleman, and can not recognize him in the time of the gentleman from Tennessee. The gentleman from Tennessee has this hour and the right to parcel it out as he chooses.

Mr. MASON. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman from Illinois rise?

Mr. MASON. I desire to appeal from the decision of the Chair.

Mr. WALSH. There is nothing to appeal from.

Mr. LEVER. I make the point of order that there is nothing to appeal from.

The SPEAKER pro tempore. The gentleman from Illinois appeals from the decision of the Chair, but there is nothing from which the gentleman from Illinois can appeal. The gentleman from Illinois has not been recognized.

Mr. MASON. Mr. Speaker, I desire—

The SPEAKER pro tempore. The gentleman from Tennessee will proceed.

Mr. SIMS. I move the previous question on the adoption of the conference report.

The SPEAKER pro tempore. The gentleman moves the previous question on the conference report.

The question being taken, the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MASON. I call for a division.

The SPEAKER pro tempore. The gentleman from Illinois asks for a division on the motion to order the previous question. The House divided; and there were—ayes 131, noes 36.

Mr. MASON. I ask for the yeas and nays.

The SPEAKER pro tempore. The gentleman from Illinois demands the yeas and nays. Those in favor of ordering the yeas and nays will rise and stand until counted. [After counting.] Ten Members, not a sufficient number.

Mr. MASON. Mr. Speaker, I make the point of no quorum.

Mr. FERRIS. I make the point of order that that is dilatory. The roll has just been called.

The SPEAKER pro tempore. The Chair will say to the gentleman from Oklahoma that no question of dilatoriness can be raised in connection with the point of no quorum.

Mr. FERRIS. If the Chair will indulge me a moment, the roll has just been called, and no business has transpired since then.

The SPEAKER pro tempore. That rule applies to a different situation. The point of no quorum can never be treated as dilatory. The presence of a quorum is the very foundation of business in the House. The Chair will count. [After counting.] Two hundred and thirty-two Members present, a quorum.

Mr. MASON. Mr. Speaker, I make the point of order that the Chair has counted Members elect who are not Members of this Congress.

The SPEAKER pro tempore. The Chair thinks not.

Mr. MASON. I ask for a roll call.

The SPEAKER pro tempore. The gentleman from Tennessee has the floor. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. MASON) there were 175 ayes and 40 noes.

Mr. MASON. I make the point that the last count shows no quorum.

The SPEAKER pro tempore. The Chair thinks that there is a quorum present.

Mr. MASON. The last count does not show it.

Mr. SIMS. Mr. Speaker, I move to reconsider the vote, and that that motion lie on the table.

Mr. MASON. Mr. Speaker, I make the point that on the last announcement of the Chair no quorum is present.

The SPEAKER pro tempore. The Chair will say to the gentleman that there were many Members present who did not vote.

Mr. MASON. I do not know.

The SPEAKER pro tempore. The Chair does know. [Laughter and applause.]

Mr. COOPER of Wisconsin. Mr. Speaker, I demand the yeas and nays.

Mr. SIMS. Oh, Mr. Speaker, that is too late; the vote has been declared, and I moved to reconsider.

Mr. COOPER of Wisconsin. Mr. Speaker, I was on my feet asking for the yeas and nays.

Mr. SIMS. But it is too late. I have moved to reconsider.

The SPEAKER pro tempore. The Chair will not be too hasty about that. The question is on ordering the yeas and nays. All those in favor of taking this vote by yeas and nays will rise. [After counting.] Forty-five Members, a sufficient number, and the Clerk will call the roll.

Mr. BLANTON. Mr. Speaker, on what is this vote to be taken?

The SPEAKER pro tempore. On agreeing to the conference report.

Mr. SIMS. A parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SIMS. I did not understand that the gentleman from Wisconsin had demanded the yeas and nays on the adoption of the conference report. I thought it was on my motion to reconsider. Of course I would not have the slightest objection to the yeas and nays being taken on the conference report.

The SPEAKER pro tempore. The yeas and nays are ordered, and the Clerk will call the roll.

The question was taken; and there were—yeas 263, nays 65, not voting 100, as follows:

YEAS—263.

Almon	Evans	LaGuardia	Robinson
Anderson	Fairchild, B. L.	Larsen	Rodenberg
Ashbrook	Ferris	Lazaro	Rogers
Aswell	Fess	Lea, Cal.	Romjue
Austin	Fields	Lee, Ga.	Rose
Ayres	Fisher	Leshner	Rouse
Bacharach	Flood	Lever	Rowe
Bankhead	Focht	Littlepage	Rubey
Barkley	Foster	Lobeck	Rucker
Barnhart	Fuller, Ill.	Loneragan	Sanders, Ind.
Beakes	Fuller, Mass.	Lufkin	Sanders, La.
Bell	Gandy	Lunn	Sanford
Benson	Gard	McAndrews	Saunders, Va.
Beshlin	Garland	McArthur	Scott, Iowa
Black	Garrett, Tex.	McClintic	Sells
Blackmon	Glynn	McCormick	Shallenberger
Bland, Ind.	Godwin, N. C.	McCulloch	Sherley
Bland, Va.	Good	McFadden	Sherwood
Blanton	Goodall	McKenzie	Siegel
Brand	Goodwin, Ark.	McKeown	Sims
Brodbeck	Gordon	McKinley	Sinnott
Browning	Gould	McLaughlin, Mich.	Sisson
Burnett	Graham, Pa.	McLaughlin, Pa.	Sloan
Byrnes, S. C.	Gray, Ala.	McLemore	Small
Byrnes, Tenn.	Greene, Mass.	Magee	Smith, Idaho
Caldwell	Greene, Vt.	Maher	Smith, C. B.
Campbell, Pa.	Griest	Mansfield	Smith, T. F.
Candler, Miss.	Griffin	Martin	Snook
Cantrill	Hadley	Mays	Steagall
Caraway	Hamilton, Mich.	Merritt	Stedman
Carew	Harrison, Miss.	Miller, Minn.	Stephens, Miss.
Carter, Okla.	Harrison, Va.	Miller, Wash.	Sterling
Clark, Fla.	Haskell	Mondell	Stiness
Claason	Hastings	Montague	Summers
Claypool	Hawley	Moon	Switzer
Cleary	Hayden	Moore, Pa.	Taylor, Colo.
Coady	Hayes	Moore, Ind.	Templeton
Coiller	Hedin	Morgan	Thompson
Connally, Tex.	Holyering	Mott	Tillman
Connely, Kans.	Hensley	Mudd	Tilson
Cooper, W. Va.	Hicks	Nicholls, S. C.	Timberlake
Crago	Hilliard	Nolan	Tinkham
Crisp	Holland	Oldfield	Treadway
Curry, Cal.	Hollingsworth	Oliver, Ala.	Van Dyke
Dale	Hull, Tenn.	Oliver, N. Y.	Venable
Dallinger	Humphreys	Olney	Vestal
Darrow	Husted	Osborne	Waldow
Davey	Hutchinson	O'Shaunessy	Walker
Decker	Igoe	Overstreet	Walton
Delaney	Ireland	Padgett	Ward
Dempsey	Jacoway	Paige	Wason
Denton	Johnson, S. Dak.	Parker, N. J.	Watkins
Dewalt	Johnson, Wash.	Parker, N. Y.	Watson, Pa.
Dickinson	Kearns	Peters	Watson, Va.
Dill	Kehoe	Phelan	Weaver
Dixon	Kennedy, Iowa	Platt	Welling
Dominick	Kennedy, R. I.	Polk	Welty
Donovan	Kettner	Porter	Whaley
Doolittle	Key, Ohio	Pratt	White, Me.
Doughton	Kless, Pa.	Purnell	Wilson, La.
Drane	Kincheloe	Quin	Wilson, Tex.
Dupré	Kinkaid	Raker	Wingo
Egan	Kitchin	Ramsey	Wise
Eagle	Kraus	Randall	Young, Tex.
Elston	Kreider	Rayburn	Zihman
Esch	La Follette	Riordan	

NAYS—65.

Baer	Denison	Gallagher	King
Bowers	Dillon	Gallivan	Knutson
Brown	Dowell	Garner	Lampert
Cannon	Dunn	Graham, Ill.	Little
Chandler, Okla.	Dyer	Green, Iowa	London
Clark, Pa.	Edmonds	Haugen	Longworth
Cooper, Wis.	Ellsworth	Huddleston	Lunden
Cramton	Essen	Hull, Iowa	Madden
Crosser	Farr	James	Mann
Currie, Mich.	Fordney	Jul	Mapes
Davis	French	Kelly, Pa.	Mason

Nelson, A. P.	Sabath	Sweet	Williams
Nichols, Mich.	Schall	Temple	Wood, Ind.
Norton	Scott, Mich.	Voigt	Young, N. Dak.
Rainey, J. W.	Smith, Mich.	Volstead	
Ramseyer	Stafford	Walsh	
Rankin	Steencerson	Wheeler	

NOT VOTING—100.

Alexander	Emerson	Jones	Shackleford
Anthony	Estopinal	Kahn	Shouse
Birch	Fairchild, G. W.	Keating	Slayden
Booher	Fairfield	Kelley, Mich.	Slemp
Britten	Flynn	Langley	Snell
Brumbaugh	Foss	Lehlbach	Snyder
Buchanan	Francis	Linthicum	Steele
Burroughs	Frear	Morin	Stephens, Nebr.
Butler	Freeman	Neely	Stevenson
Campbell, Kans.	Garrett, Tenn.	Nelson, J. M.	Strong
Carlin	Gillett	Overmyer	Sullivan
Carter, Mass.	Gray, N. J.	Park	Swift
Cary	Gregg	Pou	Tague
Chandler, N. Y.	Hamill	Powers	Taylor, Ark.
Church	Hamilton, N. Y.	Price	Thomas
Cooper, Ohio	Hamlin	Ragsdale	Towner
Copley	Hardy	Rainey, H. T.	Vare
Costello	Heaton	Reavis	Vinson
Cox	Heintz	Reed	Webb
Dent	Helm	Roberts	White, Ohio
Dies	Hersey	Rowland	Wilson, Ill.
Doelling	Hood	Russell	Winslow
Doremus	Houston	Sanders, N. Y.	Woods, Iowa
Drukker	Howard	Scully	Woodyard
Elliott	Johnson, Ky.	Scars	Wright

So the conference report was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STEELE with Mr. BUTLER.

Mr. HAMILL with Mr. FOSS.

Mr. CARLIN with Mr. FAIRFIELD.

Mr. HELM with Mr. HEATON.

Mr. TAGUE with Mr. KELLEY of Michigan.

Mr. CHURCH with Mr. ANTHONY.

Mr. DENT with Mr. BRITTON.

Mr. DOREMUS with Mr. BURROUGHS.

Mr. FLYNN with Mr. COPLEY.

Mr. HAMLIN with Mr. ELLIOTT.

Mr. HARDY with Mr. FREEMAN.

Mr. HOOD with Mr. KAHN.

Mr. HOUSTON with Mr. LANGLEY.

Mr. HOWARD with Mr. REAVIS.

Mr. LINTHICUM with Mr. REED.

Mr. POU with Mr. SANDERS of New York.

Mr. RAGSDALE with Mr. SLEMP.

Mr. SLAYDEN with Mr. SNYDER.

Mr. STEPHENS of Nebraska with Mr. STRONG.

Mr. STEVENSON with Mr. TOWNER.

Mr. VINSON with Mr. WINSLOW.

Mr. WEBB with Mr. WOODYARD.

Mr. WHITE of Ohio with Mr. GEORGE W. FAIRCHILD.

Mr. WRIGHT with Mr. SWIFT.

The result of the vote was announced as above recorded.

Mr. MASON. Mr. Speaker, I ask for a verification of the vote.

The SPEAKER. A verification of the vote rests entirely in the judgment of the Speaker. If it were a close vote, so close that mistakes enough might have been made to change it, the Chair would have no hesitancy in granting that request, but the Chair declines to order a verification of the vote.

Mr. MASON. Mr. Speaker, I appeal from the decision of the Chair.

Mr. FOSTER. Mr. Speaker, I move to lay that appeal on the table.

The SPEAKER. The gentleman from Illinois [Mr. MASON] appeals from the decision of the Chair, and the gentleman from Illinois [Mr. FOSTER] moves to lay that appeal on the table. The gentleman from Illinois [Mr. MASON] has no right to appeal from the decision of the Chair on that particular point, as it is a matter that is entirely within the discretion of the Speaker.

Mr. SIMS. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

The SPEAKER. Without objection, it is so ordered.

Mr. MASON. Mr. Speaker, I object.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to reconsider the vote by which the bill was passed and to lay that motion on the table.

The question was taken, and the Chair announced that the ayes had it.

Mr. MASON. Mr. Speaker, I ask for a division.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. Does the affirmative vote lay this motion on the table?

The SPEAKER. It does.

Mr. WALSH. How can you have two motions pending before the House?

The SPEAKER. This is a motion that is always put in that way.

Mr. WALSH. That is when it is done by unanimous consent.

Mr. FOSTER. Nobody asked for a division.

Mr. WALSH. You do not have to divide a motion to reconsider and a motion to lay that motion on the table.

The SPEAKER. Those in favor of the motion of the gentleman from Tennessee will rise and stand until counted.

Mr. WALSH. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. WALSH. That the House can not have under consideration two motions at one and the same time. The gentleman from Tennessee moves to reconsider and asked to lay that motion on the table.

The SPEAKER. That is the way it is always done.

Mr. WALSH. That is, when it is done by unanimous consent.

The SPEAKER. The question before the House is to lay the motion to reconsider on the table. We are not voting on the motion to reconsider, but to table it.

Mr. STAFFORD. Mr. Speaker, if the Chair will pardon me, the House must first vote on the motion to reconsider. Any Member has the right to enter the motion to reconsider.

The SPEAKER. Any Member has the right to ask to have these two motions severed, but nobody asked it.

Mr. STAFFORD. I wish to direct the attention of the Speaker to the actual conditions. The gentleman from Tennessee made the customary motion to move to reconsider and to lay that motion on the table. Usually that is put by unanimous consent, and it was so put, but objection was made. Then the gentleman from Tennessee moved to reconsider.

Mr. SIMS. No; he did not.

The SPEAKER. No; it was done in the usual way, and any gentleman had the right to ask to have the two severed, but nobody did.

Mr. STAFFORD. Never in the history of the House have two motions been voted on at the same time.

The SPEAKER. Those in favor of this motion will rise and stand until counted. [After counting.] One hundred and sixty-three in the affirmative. Those opposed to tabling the motion to reconsider will rise and stand until counted. [After counting.] Five. On this question the ayes are 163 and the noes 5.

Mr. MASON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman makes the point of order that there is no quorum present. The Chair will count.

Mr. CHARLES B. SMITH. Mr. Speaker, I make the point of order that that motion is dilatory.

The SPEAKER. No; the Chair will not hold that the motion is dilatory. [After counting.] Two hundred and fifty-one Members are present, a quorum.

Mr. MASON. Mr. Speaker, I rise to make the point that many men have been counted who are Members of the next Congress.

The SPEAKER. How does the gentleman know any such thing as that? [Applause.] The Chair is doing this counting.

SEVERAL MEMBERS. Regular order!

The SPEAKER. The motion is carried.

Mr. BYRNS of Tennessee. Mr. Speaker, I desire to call up the conference report.

Mr. BYRNS of South Carolina. Mr. Speaker, I renew my motion that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104.

Mr. BYRNS of Tennessee. Mr. Speaker, there is on the Speaker's desk the fortification appropriation bill with Senate amendments—three short amendments—which I desire to call up.

Mr. BYRNS of South Carolina. Several conference reports have been called up to-day with amendments, with the statement that they would only take a few minutes.

Mr. BYRNS of Tennessee. This is not a conference report.

The SPEAKER. The Chair will recognize the gentleman from South Carolina as soon as he gets through with the gentleman from Tennessee.

Mr. BYRNS of South Carolina. The Speaker said that this morning in regard to the bill of the gentleman from Tennessee, which we have just finished.

The SPEAKER. The gentleman from Tennessee got in an important conference report.

Mr. BYRNS of South Carolina. Does not the Speaker think it important that the sundry civil bill should go to the Senate?

The SPEAKER. Well, the Chair will recognize the gentleman next.

Mr. BYRNS of South Carolina. Provided no one else asks for recognition.

The SPEAKER. It does not make any difference who asks for it.

Mr. MASON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MASON. It is about the dinner hour, and I rise to make a motion to adjourn.

The SPEAKER. The Chair had recognized the gentleman from Tennessee.

FORTIFICATION APPROPRIATION BILL.

Mr. BYRNS of Tennessee. Mr. Speaker, I call up the bill H. R. 15979, the fortification bill, with Senate amendments.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (H. R. 15979) making appropriations for fortifications and other works of defense, for the armament thereof, and for the procurement of heavy ordnance for trial and service, for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BYRNS of Tennessee. Mr. Speaker, there are three amendments adopted by the Senate. I ask that amendments numbered 2 and 3 be read and then I shall move that the House agree to those amendments.

Mr. MASON. Mr. Speaker, I object.

The SPEAKER. The Clerk will report the amendment.

Mr. STAFFORD. It requires unanimous consent.

The SPEAKER. After a while; yes.

The Clerk read as follows:

Page 6, line 8, strike out "\$125,000" and insert "\$140,000."

Page 12, after line 17, insert:

"Sec. 8. That no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured or produced in each or any of the Government arsenals of the United States for a sum less than it can be purchased or procured otherwise."

Mr. BYRNS of Tennessee. Mr. Speaker, I move to agree to the amendments just read.

Mr. GOOD. Which amendments?

Mr. BYRNS of Tennessee. To the amendments just read, amendments numbered 2 and 3.

The SPEAKER. The gentleman from Tennessee moves that the House agree to the Senate amendments just read.

Mr. BYRNS of Tennessee. Mr. Speaker, amendment No. 2 relates to a provision for the construction of a concrete wharf in the Philippine Islands. The estimate submitted to the committee was for \$140,000. The committee after the hearing reported \$125,000 and it so passed the House. Now, the authorities in the War Department appeared before the Senate committee and stated that it would be absolutely impossible to build this wharf for less than \$140,000, the amount of the original estimate, and told the committee—

Mr. MASON. Will the gentleman yield for a question?

Mr. BYRNS of Tennessee. Not just now. And they told the committee that unless \$140,000 could be appropriated then there was no necessity of making any appropriation, because it could not be built for \$125,000. The House committee and the Senate committee were satisfied that this wharf was badly needed, because the one there now is insecure and unsafe, and therefore I move that the House concur in the amendment of the Senate appropriating \$15,000 more.

Mr. MASON. Mr. Speaker—

Mr. BYRNS of Tennessee. Now, as to amendment No. 3, it simply provides that no money appropriated in any section of this act shall be used or expended for the purchase or acquirement of any article or articles that at the time of the proposed acquirement can be manufactured in each or any of the Government arsenals of the United States. In other words, it is a simple provision providing that those articles shall be, when it is possible, manufactured in Government arsenals rather than by private concerns. Mr. Speaker, I move the previous question—

The SPEAKER. The gentleman has to get unanimous consent.

Mr. MASON. Mr. Speaker, reserving the right to object—

The SPEAKER. The gentleman from Tennessee asks unanimous consent to take from the Speaker's table—

Mr. BYRNS of Tennessee. I thought that had been already granted.

The SPEAKER. To take from the Speaker's table—

Mr. BYRNS of Tennessee. I thought unanimous consent had been given.

The SPEAKER. No; it never had been asked for or given.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Does it require unanimous consent to consider Senate amendments on this bill?

The SPEAKER. It takes unanimous consent to take from the Speaker's table and ask for a conference.

Mr. BYRNS of Tennessee. I am not asking for a conference, Mr. Speaker.

Mr. MANN. The Chair lays a bill before the House, and I am under the impression—I may be mistaken—that unless it is a Senate amendment which requires new consideration in the Committee of the Whole it is a privileged matter to move to concur in the Senate amendment.

The SPEAKER. I think the gentleman from Illinois [Mr. MANN] is correct. Those in favor of these two amendments—

Mr. BYRNS of Tennessee. Mr. Speaker, I move the previous question.

Mr. MASON. Will the gentleman from Tennessee yield for a question?

Mr. BYRNS of Tennessee. I will yield.

Mr. MASON. Is there in your amendment, or in the proposition you make, a provision for bringing the boys who are in the American Army home to this country?

Mr. BYRNS of Tennessee. This amendment has no relation to the inquiry the gentleman makes of me.

Mr. MASON. Have you any information that you can give to the House— [Cries of "Regular order!"]

Mr. BYRNS of Tennessee. I have no information on the subject.

The SPEAKER. The regular order is demanded.

Mr. MASON. The gentleman yielded for a question. I do not propose to take my seat until I have asked an important question. I suppose he had a right to yield for a question.

The SPEAKER. The Chair thought the gentleman had finished his question.

Mr. MASON. I had not.

The SPEAKER. What is the question?

Mr. MASON. I am presenting it now to the gentleman in charge of this bill.

The SPEAKER. The Chair himself would like to know what it is.

Mr. MASON. All right. Thank you. Is there any proposition in this bill or in your amendment that proposes to assist the fellows who under the rules of the War Department are being deprived of the right to go home?

Mr. BYRNS of Tennessee. The gentleman knows the answer to his question as well as I could possibly give it to him. I have been entirely courteous to the gentleman.

Mr. MASON. You have been courteous, and I know the answer.

Mr. BYRNS of Tennessee. This bill, I will say to the gentleman, has no relation whatever to the soldiers in the service or to the question of their discharge.

Mr. MASON. I thank you for knowing what I knew in advance. [Laughter.]

The SPEAKER. The question is on agreeing to the two amendments.

The question was taken, and the amendments were agreed to.

Mr. BYRNS of Tennessee. Mr. Speaker, I move that the House disagree to Senate amendment No. 1.

The SPEAKER. The gentleman from Tennessee moves that the House disagree to Senate amendment No. 1.

Mr. MASON. Mr. Speaker, I rise in opposition to that motion.

Mr. BYRNS of Tennessee. I have the floor, I think, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee has the floor.

Mr. BYRNS of Tennessee. This amendment, gentlemen of the House, makes provision for the manufacture of 26 railway mounts and for 5 barbette carriages, costing something like \$6,700,000. And the amendment provides that over \$3,000,000 shall be available in cash and the balance in authorization. This proposition was very carefully considered by the House committee and was denied, for the reason that it was perfectly evident that these railway mounts could be manufactured much quicker than the guns can be forged and machined, and we therefore thought this appropriation could be postponed.

The SPEAKER. The gentleman from Tennessee [Mr. BYRNS] moves that the House disagree to the amendment.

Mr. BYRNS of Tennessee. I move the previous question.

Mr. MASON. Mr. Speaker, I rise in opposition. I would like to be heard in opposition.

Mr. BYRNS of Tennessee. I have the floor.

The SPEAKER. The gentleman from Tennessee has the floor.

Mr. MASON. But he did not move the previous question until I had addressed myself to the Chair. I rise in opposition to the amendment.

Mr. BYRNS of Tennessee. I had not surrendered the floor.

The SPEAKER. The gentleman can move the previous question if he wants to do so.

Mr. BYRNS of Tennessee. I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on disagreeing to this amendment No. 1.

The question was taken, and the motion was agreed to.

Mr. MASON. Mr. Speaker—

The SPEAKER. Does the gentleman want to move to send this bill to conference?

Mr. BYRNS of Tennessee. I do not.

Mr. MASON. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MASON. I move to adjourn.

The SPEAKER. The gentleman from Illinois moves that the House do now adjourn.

The question was taken, and the Speaker announced that the yeas seemed to have it.

Mr. MASON. Mr. Speaker, I call for a division.

The House divided; and there were—ayes 7, yeas 154.

Mr. MASON. I make the point of order that there is no quorum present.

The SPEAKER. The motion to adjourn is rejected.

Mr. FOSTER. Mr. Speaker, I make the point of order that it does not require a quorum to adjourn.

The SPEAKER. The gentleman from Illinois [Mr. MASON] makes the point there is no quorum present. The Chair will count.

Mr. FOSTER. Mr. Speaker, I make the point that it does not require a quorum.

The SPEAKER. I know it does not require a quorum, but they can demand a roll call and everything of the sort.

Mr. NICHOLS of South Carolina. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. NICHOLS of South Carolina. I rise for the purpose of asking that the House donate a case of nuxated iron to the gentleman from Illinois [Mr. MASON].

The SPEAKER. The motion is out of order.

Mr. MASON. If the gentleman had as much love for the boys in the old country as I have—

Mr. NICHOLS of South Carolina. The gentleman has got more than he needs.

Mr. MASON (continuing). He would not waste cheap words on this particular question.

The SPEAKER. The Chair will count.

Mr. MASON. If the gentleman tried nuxated iron he would have more force and less gall.

The SPEAKER. Two hundred and twenty-seven gentlemen are present—a quorum.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. BYRNS of South Carolina. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104—the sundry civil appropriation bill.

The SPEAKER. The gentleman from South Carolina moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104—the sundry civil bill. The question is on agreeing to that motion.

The motion was agreed to.

Mr. MASON rose.

The SPEAKER. For what purpose does the gentleman from Illinois rise?

Mr. MASON. I desire to oppose the motion to go into Committee of the Whole.

The SPEAKER. It has already been voted on.

Mr. CRISP. And it is not debatable.

The SPEAKER. The motion is agreed to, and the gentleman from Texas [Mr. GARNER] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16104, the sundry civil appropriation bill, with Mr. GARNER in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the sundry civil appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 16104) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF COMMERCE.

LIGHTHOUSES, BEACONS, FOG SIGNALS, LIGHT VESSELS, AND OTHER WORKS UNDER THE LIGHTHOUSE SERVICE.

The United States Shipping Board Emergency Fleet Corporation is authorized and directed, from vessels building or under contract, to transfer to the Lighthouse Service three vessels for use as lighthouse tenders and one vessel for use as a light ship, such vessels to be in lieu of the vessels authorized for the Lighthouse Service by the act approved June 20, 1918, and one vessel (to cost not to exceed \$200,000) for use as a light ship to replace the vessel destroyed at the Diamond Shoal Light Station, N. C.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Louisiana moves to strike out the last word.

Mr. DUPRÉ. I should like to ask the gentleman in charge of the bill for some explanation as to the details and workability of this scheme that has been developed by the committee in regard to these light vessels and tenders. I should like to know something more about it.

Mr. BYRNES of South Carolina. Mr. Chairman, all that there is to be said about it is that the Emergency Fleet Corporation has building and under contract many ships. They stated to the committee that the value of those ships when completed is something to be determined in the future. Certainly they will not get full cost value, and inasmuch as that is true and the Lighthouse Service needs vessels of this character, we directed that the United States Shipping Board Emergency Fleet Corporation shall transfer to the Lighthouse Service the vessels needed by the Lighthouse Service to carry on their business.

Mr. DUPRÉ. I should like to ask the gentleman whether that is to be done after consultation with the officials of the Shipping Board?

Mr. BYRNES of South Carolina. It is. I will be frank to say to the gentleman that I have a letter from the Department of Commerce, in which they state that they have some doubt as to whether the Fleet Corporation can furnish them with the exact type of ships that they desire.

Mr. DUPRÉ. The gentleman evidently did not quite catch my inquiry. It was not so much the objections that were lodged against the proposition by the Department of Commerce and the Lighthouse Service, but as to what the Shipping Board had to say on the subject. Have they ships in process of construction now, or have they contracted for ships, subject to be constructed hereafter, that would be adaptable to this purpose and could be spared from other needs of the Government and assigned to this service?

Mr. BYRNES of South Carolina. They have 2,538 ships now, either building or under contract to be built, and the opinion of the committee, after talking with representatives of the Fleet Corporation, was that some of those ships can be adapted to the uses of the Lighthouse Service. The economical thing to do is to complete those contracts and have the Fleet Corporation build those vessels in accordance with the requirements of the service.

Mr. DUPRÉ. I do not want to have a water haul after this thing is enacted into law and be told by the Shipping Board or the Emergency Fleet Corporation that they can not carry out the authorization and direction of this Congress in this regard, and it does not seem to me quite fair that the Committee on Appropriations should have brought in a provision of this kind unless they are prepared to tell gentlemen on this floor interested in these particular items that in their honest judgment this authorization can be carried out and will be.

Mr. BYRNES of South Carolina. I have some hesitation in saying that they can assure the gentleman exactly what he desires. They may not furnish them to entirely suit the wishes of the Lighthouse Service, because our experience is that no department of the Government will ever agree to accept anything that has been contracted for by another department. The departments in a great many instances are not on speaking terms with each other; but there is not any doubt in the opinion of the members of this committee but that the Fleet Corporation can build, under the contracts they have, ships that will be suitable for the Lighthouse Service. I think the gentleman will be of the opinion that they are suitable.

Mr. DUPRÉ. I have no particular interest in the conflict between the departments, or as to whether certain old ladies and gentlemen are not on speaking terms with each other. [Laughter.] What I want to find out is whether something substantial will come from this, or whether this will be simply a "scrap of paper."

Mr. BYRNES of South Carolina. I can tell the gentleman that something is very likely to come from this. The Fleet

Corporation is building these ships, and it is directed to build them.

Mr. DUPRÉ. Are they required to assign those ships to the Department of Commerce?

Mr. BYRNES of South Carolina. They are.

Mr. DYER. Mr. Chairman, I ask to be recognized in opposition to the pro forma amendment. I want to ask the gentleman in charge of the bill a question. I do not care to take the time of the committee, but will the gentleman advise us how far he expects to have the bill read to-night?

Mr. BYRNES of South Carolina. We have only 30 or 40 pages yet to read, and we expect to complete the bill to-night and send it to the Senate. After it passes the House, if the Senate does not want to pass it, they can do what they please with it.

Mr. DYER. The gentleman anticipates that there will be some considerable debate on this bill, does he not?

Mr. BYRNES of South Carolina. No; I do not anticipate that there will be considerable debate.

Mr. DYER. If the gentleman does not expect to get through to-night, I hope he will advise us to that effect, for the reason that we should not be kept here late. Some of us were kept here quite late last night.

Mr. BYRNES of South Carolina. I think we can get through with it in the course of an hour or so.

Mr. MANN. I hope gentlemen will stay here until this bill is passed. If the House is to consider a contested election case to-morrow, this bill ought to be considered until it is out of the way.

Mr. BYRNES of South Carolina. I intend to demand a call of the House in case it should be necessary.

Mr. MANN. Yes; send out the Sergeant at Arms and bring in absent Members. This is one night when Members ought to be here to do business, and if they are not here to do business they should be sent for.

Mr. BYRNES of South Carolina. That is my view and that is my purpose.

Mr. DYER. Mr. Chairman, the American soldiers, sailors, and marines in the War with Germany have again demonstrated their ability to meet all comers. Those sent to France and those ready to go were as fine a body of men as was ever furnished by any country. These men met in France those from every portion of the world, and they proved themselves equal to any in spirit, enthusiasm, pluck, and intelligence. This was so of our soldiers regardless of color or nationality.

At this time I desire to say a word with reference to the colored soldier. From all the reports received from France it is evident that these soldiers have equaled any. They performed heroic feats and earned and received the commendation of the commanding officers of the American Army, as well as those of the French Army. Hundreds and hundreds of the colored soldiers have been singled out for special distinction. In some cases whole regiments, battalions, and companies have been likewise honored. The records of the War Department, from reports received from France, confirm these statements fully and completely. I can only take the time to mention a few of them, but the colored soldiers as a whole have shown the highest degree of patriotic service in this war. I will cite some of these evidences:

Distinguished-service crosses have been awarded by the commanding general, American Expeditionary Forces, for extraordinary heroism in action in France to the following-named colored officers and enlisted men:

Charles G. Young, first lieutenant, Three hundred and sixty-eighth Infantry. For extraordinary heroism in action near Binarville, France, September 27 and 28, 1918. While in command of a scout platoon he was twice severely wounded from shell fire, but refused medical attention and remained with his men, helping to dress their wounds and to evacuate his own wounded during the entire night, and holding firmly his exposed position covering the right flank of his battalion.

Harvey W. Wilson, second lieutenant, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 28-29, 1918. After being hit by a shell splinter he continued to lead his platoon against the enemy position until he was again hit by another shell fragment and had to be carried from the field. His example of devotion to duty and his courage inspired the men of the platoon to continue the attack successfully.

Ira M. Payne, sergeant, Company A, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Sechault, France, September 29, 1918. Having found a machine gun hidden in a brush which was causing serious casual-

ties to his company, he crept up, killed the gunners with his rifle, and captured the gun.

Roy A. Brown, sergeant, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. He was a member of a combat group which was attacked by 20 of an enemy raiding party, advancing under a heavy barrage and using liquid fire. The sergeant in charge of the group was killed and several others, including Sergt. Brown, were wounded. Nevertheless this soldier, with three others, fearlessly resisted the enemy until they were driven off.

Clifton Merrimon, corporal, Company L, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 27, 1918. He attacked with hand grenades an enemy machine gun which was causing heavy losses to his platoon and succeeded in killing the gunner and putting the gun out of action. He then organized the remainder of the platoon and led them to their positions in the trenches south of Bussy Farm.

Van Horton, corporal, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. During a hostile attack preceded by heavy minnenwerfer barrage, involving the entire front of the battalion, the combat group to which this courageous soldier belonged was attacked by about 20 of the enemy, using liquid fire. The sergeant in charge of the group and four other men having been killed, he fearlessly rushed to receive the attack and the persistency with which he fought resulted in stopping the attack and driving back the enemy.

Lewis Wakins, private, first class, Company A, Three hundred and fiftieth Machine Gun Battalion. For extraordinary heroism in action near Eply, France, November 4, 1918. He accompanied an Infantry patrol, acting as gunner with a heavy machine gun. When a large party of the enemy had worked around the flank of the patrol and was advancing across a road along which the patrol was withdrawing, he went into action with his gun, at a range of less than 100 yards, although the order to withdraw had been given. Displaying exceptional coolness and bravery under heavy rifle and machine-gun fire, he succeeded in dispersing the enemy. He was the last of the patrol to retire.

George Bell, private, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. Although he was severely wounded, he remained at his post and continued to fight a superior enemy force which had attempted to enter our lines, thereby preventing the success of an enemy raid in force.

Alex Hammond, private, Company E, Three hundred and sixty-sixth Infantry. For extraordinary heroism in action near Leseaux, France, September 4, 1918. Although he was severely wounded, he remained at his post and continued to fight a superior force which had attempted to enter our lines, thereby preventing the success of any enemy raid in force.

Bernard Lewis, private, Company A, Three hundred and sixty-eighth Infantry. For extraordinary heroism in action near Binarville, France, September 30, 1918. During an attack on Binarville he volunteered to go down the road that leads into the village to rescue a wounded soldier of his company. To accomplish his mission he was compelled to go under heavy machine-gun and shell fire. In total disregard of personal danger he brought the wounded man safely to our lines.

Clifford Crawford, private, Headquarters Company Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 28-29, 1918. He was acting as liaison agent between regimental headquarters and the battalion. Having carried a message through a heavy bombardment to the commander of a battalion which was about to make an attack, he joined the first wave of the attack and dashed into the enemy's trenches. Seeing two of the enemy rush to a dugout, he followed them and brought 10 prisoners from the dugout, killing two who tried to escape.

George Gross, private, Company D, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Sechault, France, September 29, 1918. Although he had been badly gassed, he kept his machine gun in action until he fell beside his gun.

Samuel H. Johns, private, Company L, Three hundred and seventy-second Infantry. For extraordinary heroism in action near Bussy Farm, France, September 28, 1918. After several other runners had been killed or wounded, he volunteered to carry a message over fields swept by heavy machine-gun fire and artillery bombardment. He succeeded in delivering the message, but was severely wounded while on the return trip.

Clarence R. Van Allen, private, Company L, Three hundred and seventy-second Infantry. For extraordinary heroism in

action near Bussy Farm, France, September 28, 1918. This soldier, unassisted, rushed an enemy machine gun, putting it out of action, and capturing three prisoners.

Other awards have been made, but the above are the only ones that have thus far been published officially in War Department General Orders.

The total number of colored soldiers participating were nearly 400,000, and the number serving abroad in France, Germany, Italy, etc., were over 200,000.

The colored commissioned officers in the service were over 1,200, many of them being college graduates.

Colored men served in all branches of the Military Establishment, including the Cavalry, Infantry, Artillery (Field and Coast), Signal Corps (radio or wireless telegraphy, etc.), Medical Corps, Aviation Corps (ground section), Ambulance and Hospital Corps, sanitary and ammunition trains, stevedore regiments, labor battalions, depot brigades, and engineer regiments.

Colored soldiers fought with especial distinction in France in the forest of Argonne, at Chateau-Thierry, in Belleau Wood, St. Mihiel district, Champagne sector, Metz, Vosges, etc., winning praise from French and American commanders. Colored troops were nearest the Rhine when the armistice was signed.

Entire regiments of colored troops cited for exceptional valor and decorated with the French Croix de Guerre were the Three hundred and sixty-ninth, Three hundred and seventy-first, and Three hundred and seventy-second; groups of officers and men of the Three hundred and sixty-fifth, Three hundred and sixty-sixth, Three hundred and sixty-eighth, and Three hundred and seventieth were likewise decorated.

Many individuals, like Henry Johnson, Needham Roberts, and William Butler were awarded the Croix de Guerre and Distinguished Service Cross, and scores of officers earned promotions in their military units.

The entire first battalion of the Three hundred and sixty-seventh (Buffaloes) Infantry was cited for bravery, and awarded the Croix de Guerre, thus entitling every officer and man in the battalion to wear this distinguished French decoration. This citation was made by the French commission because of the splendid service and bravery shown by this battalion in the last engagements of the war.

In a general order Second Lieut. Nathan O. Goodloe, of the Three hundred and sixty-eighth Machine-Gun Company, was commended for excellent work and meritorious conduct. During the operations in the Forest D'Argonne Lieut. Goodloe was attached to the Third Battalion. During the course of the action it became necessary to reorganize the battalion and withdraw part of it to a secondary position. He carried out the movement under a continual machine-gun fire from the enemy. Gen. Martin said: "Lieut. Goodloe's calm courage set an example that inspired confidence in his men."

Gen. Martin, commander of the Ninety-second Division, also cited for meritorious conduct near Vienne le Chateau Tom Brown, a wagoner, who, as driver of an ammunition wagon, displayed remarkable courage, coolness, and devotion to duty under fire. Brown hauled his wagon even after his horse had been hurled into a ditch by shells and, despite his own painful wounds, worked until he had extricated his horses from the ditch, refusing to quit until he had completed his work, even though covered with blood from a painful wound.

Mr. Chairman, I shall not in these remarks attempt to more than casually refer to the part taken by the colored soldiers in this war. Some time I trust there will be published a complete record of the part that they have taken, and the names of organizations, men, battles, and so forth, fully stated. I am sure that the entire colored population of the United States will have every reason to feel proud of the record that these men have made. Likewise every American citizen, regardless of color, religion, or nationality, should be proud of what they have done to bring about the great victory for the people of the entire universe. The whole citizenship of the United States should know the record that these soldiers have made in France, and I shall be one of those to do everything in my power to publish these facts fully and completely. I hope, too, that as the American people fully realize how heroically the colored soldiers have fought and how bravely they have died to bring freedom to the people of the world that there will be a better feeling toward them in all parts of the United States. Notwithstanding the record of these soldiers in this war an unjust feeling against the race still exists, as is indicated in an editorial recently called to my attention and which was published in a newspaper at Greenwood, Miss., as follows:

Circuit Clerk G. S. Pate informs the Daily Commonwealth that a good many negroes are applying at his office and registering for the purpose of voting in our elections, according to their statements to him.

Our advice to these negroes, and all other negroes who contemplate registering, is that they had better get this idea out of their heads as soon as possible. The negroes are getting along mighty well with the white people of Leflore County, and have been for some time, and they ought to have better sense than to think that they will ever again have the remotest chance of voting in our elections. Such a thing is simply unthinkable, and the sooner these negroes who have registered—and those who contemplate doing so—realize this fact, the better for them. Therefore the thought should be speedily banished from their misguided minds.

A distinguished citizen of our country, recently discussing this and other evidences of the unfair treatment of the colored people, had this to say:

It is one thing to grant in a constitution, and in the forms of law, the fullest recognition of religious freedom, and it is another thing to achieve complete equality of opportunity in the political, social, and business fields of activity unobstructed by traditional religious prejudices.

The laws of our country promise to give equal rights, but how are they observed? The negro under the Constitution is regarded as a citizen, at least when he is to pay taxes and fight for the country's flag, but that ends his opportunity, except the privilege of being lynched from time to time. The equal rights of the smallest nation is to be maintained under the league just consummated abroad, but the equal rights of some of the citizens of the largest Republic in the world is "a mere scrap of paper." Is it a matter of surprise that the red agitators find material for hellish propaganda among the disfranchised, whether white or black? Congress is busy investigating in many directions. Why not stop such cowardly threats as are contained in the above editorial? I am not waving the bloody shirt, but as an American citizen voice my protest against racial or religious persecution and injustice.

Mr. Chairman, I sincerely hope that out of this war and the sacrifices made by the colored people that there will come a wave throughout the land of patriotic fervor on the part of all the people that will demand of those charged with the responsibility of government that the colored people shall receive and that they will have their rights as citizens protected. There ought not to be any need for these people and their white friends petitioning to the Congress of the United States that laws be enacted to give them justice. Yet we are petitioned from time to time to do that which is right and proper in this regard. Recently there came to Congress a petition as follows:

To the Congress of the United States—A memorial:

The board of managers of the Freedmen's Aid Society of the Methodist Episcopal Church hereby earnestly memorializes the Senate and the House of Representatives of the United States to pass a Federal law for the suppression of lynching, we being thoroughly convinced that this brutality can not be hindered by State legislation and as thoroughly convinced that it can be stopped by Federal legislation and the holding of each locality in which lynching occurs to a community responsibility for the doings of its anonymous citizens. We further believe that to-day is the day of days for such legislation, inasmuch as the Negro race, which has been the most frequent object of lynching, has made a record for bravery and efficiency and patriotism on the battle field and at home, so as to make their conduct a righteous demand that the rights belonging to an American citizen shall be accorded them in full measure.

This memorial was unanimously adopted by the board of managers of the Freedmen's Aid Society at its annual meeting, January 14, 1919.

FREDERICK D. LEETE,

First Vice President.

P. J. MAVEETY,

I. GARLAND PENN,

Corresponding Secretaries.

D. LEE ALTMAN,

Recording Secretary.

Attest:

Accompanying this petition is a statement as to what the Freedmen's Aid Society is and who represented it in its petition to Congress. As to this, I find the following to be the facts:

The Freedman's Aid Society of the Methodist Episcopal Church was organized in 1866. Its purpose is the Christian education of the Negro. It has a theological seminary at Atlanta, Ga., for the training of colored ministers; a medical college at Nashville, Tenn., where 500 young men and a few young women are being trained as physicians, pharmacists, dentists, and nurses; and in addition it has 18 other institutions for the training of teachers, industrial, and other Christian leaders for service among the Negro people. These centers of Christian education are open to the people of all denominations or no denomination.

In the 52 years of its work it has sent from these schools ministers, physicians, teachers, and industrial leaders numbering over 200,000. This service has cost more than \$10,000,000. To-day it has 20 schools, 334 teachers, and 5,702 students. The annual budget amounts to over \$500,000.

BOARD OF MANAGERS OF THE FREEDMEN'S AID SOCIETY.

Bishops: William F. Anderson, Cincinnati, Ohio; William A. Quayle, St. Louis, Mo.; Frank M. Bristol, Chattanooga, Tenn.; Francis J. McConnell, Denver, Colo.; Frederick D. Leete, Atlanta, Ga.; Wilbur P. Thirkield, New Orleans, La.; Joseph C. Hartzell, Cincinnati, Ohio.

Ministers: Henry C. Jennings, Albert J. Nast, D. Lee Altman, Herbert Scott, E. C. Wareing, W. H. Wehrly, John H. Race, C. E. Schenk, V. F. Brown, W. B. Slutz, E. R. Overley.

Laymen: R. B. McRary, Charles Hommeyer, E. R. Graham, Lewis N. Gatch, E. C. Harley, C. F. Coffin, C. L. Swain, H. H. Garrison, Harlan C. West, George D. Webb.

Mr. Chairman, in this present Congress I presented a bill (H. R. 11279) for the purpose of protecting citizens of the United States against lynching in default of protection by the States. That bill has not been enacted into law, but I shall present it again in the next Congress and continually as long as I am a

Member of Congress till a law substantially as outlined in this bill is written upon the statute books of the United States. In some of the States colored people are not protected against lynching. State officials and county officials fail in their duty in this respect.

The Congress of the United States must enact a law and see to it that it is enforced and all guilty of participating in or permitting lynching are severely punished. I trust that in the next few months we will see evidences of a better feeling on the part of the people in all parts of the United States toward the colored race. If that comes about, then there will be probably no need for the enactment of a law by Congress touching lynchings; yet during this war and while the colored soldiers have been fighting and dying in France to preserve the honor of the United States, its Government and its people, lynchings have been going on in some sections of this country. These lynchings have practically all been of colored people. I for one shall continue to protest and fight against this unjust treatment accorded to a great portion of our people. I am going to remember the heroism of our colored soldiers in France and of the many who have given up their lives there, and I shall now again resolve, in the words of Lincoln, "that from these honored dead we take increased devotion to that cause for which they here gave the last full measure of devotion; that we here highly resolve that these dead shall not die in vain; that this Nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth." [Applause.]

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

Keepers of lighthouses: For salaries of not exceeding 1,800 light-house and fog-signal keepers and laborers attending lights exclusive of post lights, \$1,300,000.

Mr. MASON. Mr. Chairman, I wish the Record to show that I am addressing the Chair during this reading.

The Clerk read as follows:

Inspectors, clerks, etc.: For salaries of 17 superintendents of light-houses, and for clerks and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, \$380,000.

Mr. MASON. Mr. Chairman, at the end of this paragraph I desire to be recognized to make the point of order that no quorum is present.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, \$45,000.

Mr. MASON. Mr. Chairman, I wish the Record to show that at the end of this paragraph I addressed the Chair and the Chair declined to recognize me. I have no personal feeling about it, but just simply want the record as it is. Under the rules of the House I suppose I can make a point of no quorum. I want to bring the boys home.

The Clerk read as follows:

Private John Allen Station (Tupelo, Miss.): Superintendent, \$1,500; fish-culturist, \$900; 3 apprentice fish-culturists, at \$600 each; in all, \$4,200.

Mr. MASON. Mr. Chairman, I rise to offer the following amendment to the section just read, page 145, line 3.

The Clerk read as follows:

For salaries of officers and crews of the steamers *Halcyon* and *Phalarope*, \$17,700.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: Page 146, strike out the language in lines 6 and 7 and insert in lieu thereof the following:

"Steamer *Halcyon*: Master, \$1,700; first officer, \$1,200; engineer, \$1,400; assistant engineer, \$1,200; 3 firemen at \$780 each; 3 seamen at \$810 each; cook, \$870; cabin boy, \$600; in all, \$11,740.
"Steamer *Phalarope*: Master, \$1,500; engineer, \$1,200; fireman, \$780; 2 seamen at \$810 each; cook, \$870; in all, \$5,970."

Mr. BYRNES of South Carolina. Reserving the point of order, the amendment does not propose to increase the amount?

Mr. WALSH. Mr. Chairman, I do not think the amendment is subject to a point of order, but I will say that it corresponds exactly to the estimates submitted by the department.

Mr. BYRNES of South Carolina. I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. MASON. Will the gentleman yield for a question?

Mr. WALSH. I will yield for a question.

Mr. MASON. I want to know if you wish to proceed without a quorum? I have made the point of order that there is no quorum present, and it is perfectly apparent that there is no quorum. I want to ask whether you expect the law would be constitutional and binding in this country without a quorum, when I have made the point of no quorum, and when I am not recognized to make the point of no quorum?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was agreed to.

The Clerk read as follows:

Alaska, general service: For protecting the seal fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska, transportation of supplies to and from the islands, expenses of travel of agents and other employees and subsistence while on said islands, hire and maintenance of vessels, and for all expenses necessary to carry out the provisions of the act approved April 21, 1910, entitled "An act to protect the seal fisheries of Alaska, and for other purposes," and for the protection of the fisheries of Alaska, including travel, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, \$125,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word to ask why this item has been increased?

Mr. BYRNES of South Carolina. There is an increase there because of the increased cost of supplies, food, fuel, and clothing. For this year they had \$144,700, including the sundry civil appropriation and a deficiency appropriation, and the amount here is \$125,000.

Mr. MONDELL. Mr. Chairman, I want to delay the committee only a moment. This item brings to my mind a practice which curiously illustrates some of the methods of the governmental departments. The Pribilof Islands, the home of the fur-seal herd, lie up in the Bering Sea, one of the most exposed regions in the world, up yonder inside the Arctic Circle. In the care of the seals and the preparation of the skins it is necessary to employ quite a considerable number of natives. There is quite a settlement of natives on the islands. It is necessary, that they have houses, and we have been putting up houses for those natives, up on those bleak, wind-swept, icy coasts. What kind of houses do you suppose? Well, they are not exactly, pasteboard houses. They are the next thing to it. They are these cheap, knocked-down, put-up-with-a-hammer houses that are made in Kalamazoo and Oshkosh and shipped up there in sections and put together. If one can conceive anything more extraordinary and incongruous than that sort of construction in that sort of a country, they must be possessed of a very lively imagination.

Mr. WALSH. Will the gentleman yield?

Mr. MONDELL. I do.

Mr. WALSH. What kind of houses do the natives build for themselves?

Mr. MONDELL. Well, I do not know that they are building much in the way of houses for themselves since we got in the habit of building these flimsy shacks for them. Naturally, they have lost the art and the habit of building for themselves. I have been asking this service for a number of years to study the original house construction of the natives, and the house construction of Iceland, and the Shetlands, and Spitzbergen, and regions similar to these, and the cheap grout construction of the Northwest, where houses are built easily with ordinary labor, something that the natives can build and repair and keep in order. I trust they will build no more of these flimsy structures, and I have some hope—just a little hope—that we may eventually stir up the initiative of the bureau and get them to doing something practical up there in the Arctic in the way of house construction.

The idea in a section like that of building ready-to-erect houses in Oshkosh and shipping them across the continent, taking them up through the icy seas, unloading them onto barges in the wind-swept and tempestuous water, carrying them ashore—of course, they break—and putting them together, the slimmest things in the world, intended for camp purposes. They were never expected to be used as permanent habitations for man in a tempestuous climate. But some one connected with the service found that was the easiest way to buy a house, as you buy a pound of tea, and have it ready-made, take it up there and put it up.

Mr. LOBECK. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LOBECK. How long has this thing been going on?

Mr. MONDELL. For a number of years. I have been trying, in my feeble way, for a long time to wake up this bureau

to the utter folly and futility of that kind of construction. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Testing of large scales: For investigation and testing of railroad track scales, elevator scales, and other scales used in weighing commodities for interstate shipments and to secure equipment and assistance for testing the scales used by the Government in its transactions with the public, such as post-office, navy-yard, and customhouse scales, and for the purpose of cooperating with the States in securing uniformity in the weights and measures laws and in the methods of inspection, including personal services in the District of Columbia and in the field, \$40,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent to return to line 4, page 149, to insert an amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 149, line 4, after the word "and," insert the word "made."

The amendment was agreed to.

The Clerk read as follows:

For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stat. L., vol. 37, p. 736), and May 9, 1918 (Stat. L., vol. 40, pp. 542 to 548, inclusive), including personal services in the District of Columbia, and for their actual necessary traveling expenses while absent from their official stations, including street car fare on official business at official stations, together with per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem together with actual necessary traveling expenses of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; not to exceed \$5,300 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29, 1906 (34 Stat., p. 600), as amended by the act approved June 25, 1910 (36 Stat. L., p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpoenaed on behalf of the United States, the expenditures from this appropriation shall be made in the manner and under such regulations as the Secretary of Labor may prescribe, \$350,000.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I move to strike out the figures "\$350,000" and insert "\$675,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Pennsylvania: Page 152, line 16, strike out "\$350,000" and insert "\$675,000."

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, the work being done by this Bureau of Naturalization is of vital importance at this particular time. This money does not come out of the taxpayers of the country. They have paid into the Treasury by the head tax \$750,000 in excess of the amount necessary to take care of the service. We asked that this be made \$675,000 in order that this good work may be carried on. In cities where there is a large foreign population it is of the utmost importance to Americanize these new citizens. The cities throughout the country are giving schoolrooms, and the Government is furnishing free textbooks. At this time it is of great importance to offset the work of the propaganda that has a tendency toward socialism and bolshevism, and I appeal to you to accept this amendment, as it is not money to come out of the taxpayers.

I ask that you adopt this amendment to enable this department to continue the work it has already started. In the city of Pittsburgh and other cities it is doing a wonderfully good work.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. LaGUARDIA. What type of men are employed for this kind of work?

Mr. CAMPBELL of Pennsylvania. Men that are naturalized and speak the language of those that we want to reach.

Mr. LaGUARDIA. Is it not a fact that the employees of the bureau assume an arrogant attitude toward these people?

Mr. CAMPBELL of Pennsylvania. It may be, but not in this case.

Mr. LaGUARDIA. I am talking about the Bureau of Naturalization. Does not Mr. CAMPBELL feel it his duty to prevent people from being naturalized rather than assist them in being naturalized?

Mr. CAMPBELL of Pennsylvania. Does the gentleman mean me?

Mr. LaGUARDIA. No; I am talking about the Chief of the Naturalization Bureau.

Mr. CAMPBELL of Pennsylvania. I think not.

Mr. LaGUARDIA. The gentleman said that textbooks were furnished to the schools. Does the gentleman have any such schools conducted in his city?

Mr. CAMPBELL of Pennsylvania. There are.

Mr. LaGUARDIA. By the Bureau of Naturalization?

Mr. CAMPBELL of Pennsylvania. There are schools conducted there by voluntary subscription.

Mr. LaGUARDIA. But not by the Bureau of Naturalization. The gentleman said the purpose of the bureau was to keep down bolshevism and socialism. Is the gentleman aware that that is what they are not doing? A man who is a Bolshevik goes there and kids these people who want to become citizens and want to remain here.

Mr. CAMPBELL of Pennsylvania. The object of the bureau is to make American citizens of them.

Mr. LaGUARDIA. But that is just what they do not do.

Mr. CAMPBELL of Pennsylvania. In the district I have the honor to represent there are upward of 35 nationalities, and they are all eager and anxious to become Americanized, eager to be taught; even men 50 years old are going to school.

Mr. LaGUARDIA. I am not discussing the schools.

Mr. FARR. Are the schools not conducted under the authority of the school superintendent?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. MONDELL. Does the gentleman from Pennsylvania understand that these schools could be conducted under this appropriation?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. MONDELL. The gentleman is mistaken.

Mr. CAMPBELL of Pennsylvania. Why not, if they have the money to pay for it?

Mr. MONDELL. There is no authority of law for it. If they had all the money in the world, they could do nothing of the sort.

Mr. CAMPBELL of Pennsylvania. I am only asking for an increase in the appropriation.

Mr. MONDELL. If they had an increase they could not conduct schools with it.

Mr. CAMPBELL of Pennsylvania. They could carry on the work as provided in the law.

Mr. MONDELL. There is no such thing as providing schools carried in the law.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. CAMPBELL of Pennsylvania. Yes.

Mr. PLATT. There is a bill now before the Committee on Education which provides for Americanizing foreigners and taking care of that very thing, but this item does not provide for anything of the kind; and if you increase the appropriation, it would not do any good.

Mr. CAMPBELL of Pennsylvania. They have been doing this very work.

Mr. PLATT. Oh, no.

Mr. CAMPBELL of Pennsylvania. And Mr. Lane asked for \$7,500,000 to conduct this very work.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, the gentleman from Pennsylvania [Mr. CAMPBELL] is misinformed as to the character of work done under this appropriation. Many of the things that he has referred to may be most desirable, but as the gentleman from Pennsylvania [Mr. FARR] said, the schools to which he has referred are being paid for by the State of Pennsylvania. Under this appropriation not only is a school not conducted, but none of the textbooks to which the gentleman has referred are paid for out of the funds.

Mr. CAMPBELL of Pennsylvania. I grant the gentleman that the textbooks are furnished out of another fund, but this is to conduct the work.

Mr. BYRNES of South Carolina. What work?

Mr. CAMPBELL of Pennsylvania. To pay these men that go around who are employed by the Bureau of Naturalization.

Mr. BYRNES of South Carolina. Mr. Chairman, this fund is used for no purpose other than to pay examiners. We have always had a force of examiners. Heretofore the appropriation was \$275,000. On May 9, 1918, Congress passed an act having for its purpose the naturalization of the soldiers in the cantonnements of the country. The Senate included an appropriation of \$400,000.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Not now. That \$400,000 made \$675,000 altogether. With the \$675,000 the Naturalization Service proceeded to employ examiners.

And before the armistice was signed the estimate was submitted for \$675,000, for which the gentleman now asks. The

armistice came. The naturalization examiners were taken from the cantonments, and they are now on the hands of the Bureau of Naturalization, which is striving to find some job to keep these examiners, who traveled around the country to these camps, on the pay roll. The number of examiners who visited these camps run away up—more than 100. They received good salaries. The gentleman who is in charge of this work was asked the specific question by me as to what he proposed to do with them. He said that they were very good men, who wanted to stay in the work, and therefore he thought he would keep them and put them on this regular work. In no way can it be said that they contribute to the work the gentleman has in mind of educating those who desired naturalization, except in this.

He says that when an examiner goes to a man who is an applicant for citizenship he impresses upon him the wisdom of being a citizen. There is no earthly reason why the examiner who goes to him originally with regard to his naturalization can not advise him to become a citizen just as easily as a man who was on the pay rolls last year and whose duty it was to be sent on another trip to visit him and say, "I want to advise you to become a citizen." These men are examiners. Not one dollar is spent out of this fund except for examiners. The gentlemen who are the members of the committee endeavored to get information from the head of this service, and after they had vainly spent three or four hours endeavoring to get an account of the exact amount spent under the original appropriation of \$275,000, and what was proposed to be done with the \$400,000 that was asked for, we all came to the conclusion that we could not get any information.

The gentleman was asked to revise his remarks, and as they appear in the hearings they defy analysis, and the only conclusion that you can reach is that the \$400,000 was lumped with the \$275,000, and now that he has these gentlemen in the service he desires to keep them, as he says in the hearings. I yield to the gentleman from Pennsylvania.

Mr. CAMPBELL of Pennsylvania. Will not the gentleman admit that there were naturalized 167,000 aliens in our Army camps?

Mr. BYRNES of South Carolina. There were.

Mr. CAMPBELL of Pennsylvania. And the purpose is to Americanize them?

Mr. BYRNES of South Carolina. Oh, no; that work is finished, and the gentleman who has charge of finishing it says so.

Mr. CAMPBELL of Pennsylvania. Many of them could not speak the English language clearly when they went to camp.

Mr. LA GUARDIA. They fought in our Army.

Mr. CAMPBELL of Pennsylvania. Yes; and they are entitled to be instructed in Americanism.

Mr. BYRNES of South Carolina. And they are.

Mr. CAMPBELL of Pennsylvania. You make no provision for that.

Mr. BYRNES of South Carolina. The gentleman can not make provision out of this fund to establish schools. You would have to have legislation authorizing the establishment of schools.

Mr. CAMPBELL of Pennsylvania. The Congress has given the Bureau of Naturalization authority to promote the training of these foreigners by the public schools of the country.

Mr. BYRNES of South Carolina. The public schools of the country are training them. There is not any reason here for any man to argue that a dollar of this fund is to be expended in schools, because it can not be expended there. There is no reason for any arguments other than this, that with the \$75,000 additional appropriation given in this bill they can communicate with any man who is an applicant for citizenship and advise him of the benefits of citizenship, and of learning the English language and becoming a citizen, and we have given them \$75,000 more this year than they had for any previous year because we believe in encouraging the work, but none of the many desirable things urged by the gentlemen are possible here.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. WELTY. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I am indeed amazed at the statement of the gentleman who has charge of this bill, because of the lack of knowledge that he seems to possess in the matter of work of the bureau of naturalization. The head of this bureau appeared, as the evidence will show, before the committee and showed how this money was spent. Last year there was appropriated for this bureau \$275,000, and because of the exigencies of war \$400,000 additional was allowed to procure additional help for the purpose of naturalizing aliens who enlisted in our Army. It is estimated that we have about 12,000,000 aliens in

the United States. The number of registrants between the ages of 21 and 31 years was 1,703,006. Those who registered on the 12th of September, 1918, numbered 2,174,072, making a total of aliens who registered for our Army of 5,214,050, while the number of aliens and citizens registered was 23,908,576, thus making 21.9 per cent of all of those who registered as aliens and naturalized persons. Seven hundred and fifty thousand of those aliens who registered had no knowledge of the English language. Now, then, what has been done with this fund? On May 9, last year, the Congress passed an act permitting citizenship to every alien who had taken out his first papers and who enlisted under our banner. Many of those soldiers could not understand the commands of their own officers. They did not know what "fours right" or "fours left" meant. They did not know what it meant when the officers said "Forward, march."

Mr. LA GUARDIA. They did pretty well in France, though, under those commands.

Mr. WELTY. Certainly, they did well in France, and I am not saying anything against these men who fought so nobly in France. Certainly, they did; but shall it be said that this Nation is so stingy, so small, as not to provide for an agency whereby they can be furnished books and literature and permitted to learn the English language and thus be able to convey their feelings to us who can not understand their language?

Mr. LA GUARDIA. This will not do it.

Mr. WELTY. This will not do it; what will do it? By permitting the alien to drift?

Mr. BLANTON. Will the gentleman yield?

Mr. LA GUARDIA. We do it in the city of New York at our own expense.

Mr. WELTY. Most assuredly; but you have agencies having men go around and find just where they are and offer opportunity to learn the basic principles of our country. The aliens will not go to your public schools. They will not go there, because they are too old. They must have separate night schools.

Mr. LA GUARDIA. We do that in New York.

Mr. WELTY. I am asking for a small sum to stimulate the public schools to greater activity. You go to one locality in New York and often wonder whether you are in Bohemia, Russia, or Poland. You go to another section, and you wonder whether you are in Italy.

Mr. LA GUARDIA. Certainly, because the Italians brought some of their country's culture there.

Mr. WELTY. It is not American culture. What we want is to teach these aliens American ideals and let them know what those American ideals mean and that the same is distinctly American.

Mr. LA GUARDIA. They were all imported, were they not?

Mr. WELTY. Certainly; they were all immigrants. They came to our land because there was something here which they could not get where they came from. I believe that most of them were attracted to our shores because of the customs, laws, and institutions of our country. Some, I am sorry to note, came here for no other purpose than to exploit our resources, get some money, with a hope that some day they can return and live on that money earned here with greater ease than in the land from whence they came. This class of citizens should not be permitted to remain in this country. They care nothing for our country, and its ideals. Most of them care very little for the comforts of home life in America. They do not bring their families, but expect to live cheaply here, content to occupy poor quarters, with a hope of getting rich quick and return after they have earned enough to keep them the balance of their lives.

Mr. Chairman, for years we have permitted the scum and every grade of criminals in Europe to find an asylum here with those who came here because they were sick and tired of autocracy and its handicaps to the toiling. I am inclined to believe that the gentleman from New York [Mr. LA GUARDIA] does not understand the meaning and force of the proposed amendment of the gentleman from Pennsylvania [Mr. CAMPBELL]. The money appropriated by Congress for the Bureau of Naturalization is not used to deport objectionable aliens, for the jurisdiction of deportation rests under our laws with the Commissioner of Immigration. It was not the Commissioner of Naturalization who deported the bunch of I. W. W.'s who denounced this country and its Constitution in such language as not to permit its repetition here.

I know some of these immigration officers do make mistakes at times, but I do not think they make a mistake when they take by the nape of the neck every I. W. W. and Bolshevik and boot him across the sea from where he came.

Mr. Chairman, what the Bureau of Naturalization attempts to do is to build a fire under the "melting pot in America" and teach these aliens the basic principles so that they might

float off into American citizenship and lose their foreign identity by mingling with those possessing a common language and owe allegiance only to the Stars and Stripes.

And, sirs, we are asking only for a sum of money out of the surplus collected from these aliens. Not one cent comes from the taxpayers. Since the declaration of war the Bureau of Naturalization has been exceedingly busy because of the act of May 9, 1918, providing for the naturalization of all aliens who had taken out their first papers upon entering the Army. Between the 1st day of October, 1917, and September, 1918, 176,816 drafted soldiers were naturalized, while 150,246 alien soldiers became citizens since the passage of the act. This required additional help not only in the field but in the office force as well. Now, these soldiers can not read and write the English language. They will not go to school with children 7 and 8 years old. If you are not going to provide educational facilities for the alien population, are we justified in permitting these soldiers who fought to protect our country and homes from drifting? Should we not encourage night schools for them?

We hear a great deal about vocational training. Every wounded or sick soldier with a hospital record is entitled to the benefits of an education. Every alien soldier who was sent to the hospital will receive the benefit of this education. They learn to read and write and are taught a useful occupation, but shall we neglect those who were not sent to the hospital, especially when the appropriation of this amount is only out of the surplus of the amount the Government collected from these aliens? Gentlemen, we can not in good conscience collect this tax off of these aliens unless we mean to use the funds so collected for their benefit.

Mr. Chairman, the present bill carries \$2,000,000 for vocational training.

At first the bill carried a million and a half, but the gentleman from Alabama [Mr. BANKHEAD] offered an amendment to increase that to \$3,000,000 and was strongly supported by my friend from Ohio [Mr. FESS], all this vast sum to be spent for vocational training alone.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WELTY. I ask unanimous consent to proceed for five minutes.

Mr. CAMPBELL of Pennsylvania. Mr. Chairman, I ask that the gentleman be given five additional minutes.

Mr. SHERLEY. Mr. Chairman, let us see if we can have an agreement for debate on this matter. I ask unanimous consent that all debate on this paragraph and amendments to the paragraph end in 15 minutes.

Mr. SIEGEL. I desire five minutes.

Mr. SHERLEY. I expect to take five minutes.

Mr. MONDELL. I would like to have three minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this paragraph and all amendments thereto shall close in 15 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman yield for one question?

Mr. WELTY. Not now. I do not want to be discourteous, but I wish you would wait until I finish what I am about to develop. Now, I am in favor of the reeducation of these men who are wounded and in doing everything we can, but, as was said on the floor of the House, every college and State institution is not only willing but anxious to furnish education to these young soldiers, and it will not cost the Government one cent for their education, save and except their subsistence, quarters, and medical aid. These colleges are the proper places to send these boys. They want to return home. God knows that many a heart is aching to return to the old homestead. Return these boys to their respective States to be educated in their respective State schools. The hospital is no place to reeducate our boys. Restore them to health and then discharge them from the hospital as soon as possible.

But we have appropriated \$2,000,000 for vocational training. Oh, out here at the Walter Reed Hospital, for instance, what do we find? A printing press that cost, I understand, \$13,000, to teach those boys how to print and instruct them in the art of printing. Buildings after buildings are erected and expensive equipment installed, and yet between 60 and 70 per cent of those boys have not passed further than the eighth grade. I understand there is a wireless apparatus out there with which last week they were able to pick up a message between Berlin and London. We have a greenhouse there, where they attempt to grow vegetables and flowers for the sick in this hospital. You go through that greenhouse and you will find they raise the finest of vegetables and flowers for these boys. It is right that money should be appropriated for that purpose, but when you go to the

books and find out where these vegetables and flowers have gone you will then realize that three-fourths of them have gone to the colonels and the majors and the captains and the lieutenants, probably that those officers might serve the poor patients more efficiently. Are we going to spend all this money for these purposes? Are we going to coordinate in this vocational training?

Mr. FESS. Will the gentleman yield?

Mr. WELTY. Yes.

Mr. FESS. Reverting to the colleges willing to do this work, my colleague will recognize the Government must pay for the expense of subsistence.

Mr. WELTY. Oh, yes; and that is not all. They pay for quarters and for medical aid and for subsistence. That is not very much. That does not cost very much, as the gentleman from Ohio knows, because he used to be a teacher—

Mr. FESS. The plan of the vocational board was to utilize all these existing institutions without the Government creating any new ones.

Mr. WELTY. That is all right if they are doing that. But why are they spending these large sums of money here at the hospitals? It seems that we are going wild in some of our appropriations and forget that these colleges are better equipped to educate the soldiers than any agency the Government can create.

Mr. FESS. A hospital is for the primary work before the training can begin, and now the boys are about to go out from the hospitals, where the training is increasing very rapidly.

Mr. WELTY. In passing, let me say that I do not want to reflect on the Surgeon General's office. It is impossible to keep selfishness out of the Army. I feel sure that Gen. Ireland will speedily correct any abuses that may be called to his attention. Too much praise can not be given to the work of this department, especially when we compare the unhealthy conditions of the camps and the sickness during the Spanish-American War and the work done by the Medical Department in this war. No soldiers received better medical treatment than did the American soldiers during this war. I am simply calling this matter to the attention of the House because we are apt to overlook the fact that our State schools will take care of these boys if we will only permit them to do so.

Mr. BLANTON. Will the gentleman from Ohio yield for a moment?

Mr. WELTY. Yes.

Mr. BLANTON. Is the gentleman aware of the fact that the Committee on Education is expecting to-night to favorably report what is known as the Americanization bill, which is legislation that will bring about what the gentleman from Pennsylvania [Mr. CAMPBELL] and the gentleman from Ohio [Mr. WELTY] wish?

Mr. WELTY. Most assuredly. That is what they are going to try to do; and that is the trouble with our Federal Government. It is attempting to control every agency rightly belonging to our States. I do hope that the time will never come when the control of our schools is transferred from the several States to the Federal Government. God knows that the Federal Government is controlling too much now. The tendency is to destroy not only the initiative of every individual but to deprive our States of their sovereignty and reduce them to townships and counties. If this fund is appropriated, it will not be used to start schools, but to furnish books and literature to be used in night schools under the direction of the local boards of education.

We do not need any more new agencies. We have enough bureaus. It keeps a Member of Congress busy trying to learn where they can be found.

The proper channel to teach these aliens American ideals is through the Bureau of Naturalization. That is why this bureau was organized. Then why should the Department of Education assume this duty when all can be accomplished by the naturalization officers through the medium of the common schools?

Remember this, gentlemen, that the 176,816 soldiers naturalized under the act passed by Congress are not the only aliens in our Army. It is estimated that 50,000 aliens in the country joined the independent forces. The Czech, Slovak, Bohemian, and Polish aliens in America formed an independent army because they could not understand our officers. All these are returning, and it is high time that we knew their spirit; and we should remember that we are unable to know it, when they come back, unless we have a common language. These all fought for the American ideals, and yet they are unable to convey that ideal to us in a language we can understand. We believe alike, think alike, and we act alike, and yet we do not

know our kindred spirits. Gen. Crowder in his report has this to say about these aliens:

The great and inspiring revelation here has been that men of foreign and of native origin alike responded to the call to arms with a patriotic devotion that confounded the cynical plans of our arch enemy and surpassed our own highest expectations. No man can peruse the muster roll of one of our camps, or the casualty list from a battle field in France, without realizing that America has fulfilled one of its highest missions in breeding a spirit of common loyalty among all those who have shared the blessings of life on its free soil. No need to speculate how it has come about; the great fact is demonstrated that America makes Americans. In the diary of a German officer, found on the battle field, the following sentence, penned by one of the enemy whom these men went out to fight, speaks volumes: "Only a few of the troops are of pure American origin; the majority are of German, Dutch and Italian parentage. But these semi-Americans—almost all of whom were born in America and never have been in Europe—fully feel themselves to be true-born sons of their country."

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WELTY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. WELTY. We hear so much of America being the "melting pot of the world." A judge, in his charge to the jury, aptly said:

We find all over these United States, in groups, little Germanies, little Italies, little Austrias, little Norways, little Russias. These foreign people have thrown a circle about themselves, and, instead of keeping the oath they took that they would try to grow American souls inside of them, they have studiously striven to exclude everything American and to cherish everything foreign. A clever gentleman wrote a romance called "America, the Melting Pot." It appealed to our vanity, and through all these years we have been seeing romance instead of fact. That is the awful truth. The figure of my country stands beside you to-day. It says to me, "Do not blame this man alone. I am partly to blame. Teach him, and the like of him, and all those who have been misled by him and his like that a change has come."

There must be an interpretation anew of the oath of allegiance. It has been in the past nothing but a formula of words. From this time on it must be translated into living characters incarnate in the life of every foreigner who has his dwelling place in our midst. If they have been cherishing foreign history, foreign ideals, foreign loyalty, it must be stopped, and they must begin at once, all over again, to cherish American thought, American history, American ideals. That means something that is to be done in your daily life. It does not mean simply that you will not take up arms against the United States. It goes deeper far than that. It means that you will live for the United States, and that you will cherish and grow American souls inside of you.

The Bureau of Naturalization is the proper agency to lead these men to this new light. They have been furnishing the textbooks and literature for use in the common schools without any expense to the taxpayer. These aliens have paid it all—not one dollar comes from the taxpayers. This money has been collected from the aliens and there is a surplus in the Treasury of \$754,415.21. Should we not use this money to educate these soldiers who can not read and write the English language? Will we help them or suppress them? It is their country just as much as it is our country, for they fought to preserve its institutions. I hope that the amendment will carry.

Some time ago I introduced a bill requiring every alien to register and pay an annual fee during his alienage, which bill, I believe, will be favorably reported by the Committee on Immigration; but I can not support even my own bill if the money so collected will not be used to teach these aliens American ideals so that we might better understand them and that they might receive the benefits of a knowledge of the basic principles of our Government.

The American laborer must receive sufficient pay to live and rear his family in pleasant surroundings, and out of his surplus earnings pay for a home which he should own. He can not do this in competition with cheap laborers who are content to live in dirt and filth. The foreigner must realize that American citizenship has advantages which he desires. We can not throw citizenship on him. He would not appreciate the same. He must win that citizenship himself, and the only way he can do it is by possessing a knowledge of our language, customs, and institutions, and being taught to live in a home where his children can be reared to become equals to every American. I do hope that the amendment will carry.

Mr. SIEGEL. Mr. Chairman, I exceedingly regret that what is a most important matter has temporarily descended into a dispute between the gentleman from Ohio [Mr. WELTY] and my colleague [Mr. LaGUARDIA] as to the place or places from where the population of this country came. The work these examiners in naturalization have been doing has consisted of examining the declarations made by would-be citizens. At the present time there are 46,000 of such declarations that have been unexamined for months. They have had to appear before the various judges where naturalization courts are held for the purpose of examining the applicant and his witnesses. Now, the truth of the mat-

ter is, we are short of examiners; and I believe that if the members of the Appropriations Committee had seen the shortage of examiners in the city of New York, for example, where applicants for naturalization have to stand in line and to wait day in and day out for the purpose of becoming naturalized, they would not have proceeded to cut down the amount which is actually required.

Now, it is true that these same examiners have done a certain amount of Americanization work, and it is true that considerable credit is due to Mr. Crist for having started that work. But these examiners are needed for other purposes. They are needed because in this country to-day there are 11,000,000 people who have not been naturalized, and it is useless to yell from one end of the country to the other for them to get naturalized and expect the applicant to stand day in and day out for the purpose of being naturalized, dragging witnesses down to the court repeatedly, standing in long lines in the post-office building, and then expect men to become American citizens at a great, unnecessary loss of time and money to them and their witnesses.

Mr. FESS. Will the gentleman yield to a question?

Mr. SIEGEL. I will.

Mr. FESS. We passed a bill providing for the naturalization by wholesale of those who had gone already in the Army.

Mr. SIEGEL. That is correct.

Mr. FESS. But provided that it could be done in the camps where an officer of the court could go and do it. Do we have any information as to how many of those have been naturalized?

Mr. SIEGEL. I think something more than 179,000 have been naturalized, which is a large number. The court went to the camps and these examiners went down there. While that was going on naturalization ceased, practically, in the other parts of the country.

Mr. WELTY. It is 179,116 that were actually naturalized in the camps.

Mr. FESS. What proportion will that make of our entire alien soldier activity? That is, were a very large proportion of them naturalized?

Mr. SIEGEL. I will say this, it is known now that at least 200,000 and some odd who could have claimed exemption waived exemption and went into the service to fight for us and many of them have received the distinguished service cross.

There are over 10,000 applications of aliens for citizenship which have arrived from the other side, and the final papers have not been granted. Those papers are still lying around and are yet to be examined.

Mr. FESS. The law was justified, then?

Mr. SIEGEL. Yes; it was more than justified. It was justified by urgent necessity and it was justified by international law. If they had been captured on the other side, they could have been executed.

I urge the appropriation for this reason, because every dollar has come from the people naturalized. Not a single cent comes out of the Treasury of the United States. Over \$750,000 was received during the last fiscal year, and the total amount that we ask for all the expenses, including office rent and including nine or ten thousand dollars for the blank paper on which these certificates are issued, is a total of \$675,000.

Now, I do not know how many Members of the House have watched the process of naturalization actually going on. I have watched it step by step in New York. One of my colleagues from Ohio was with me a week ago; and I tell you, gentlemen, that every dollar appropriated brings more than 100 per cent in returns. We should do all we can to help men become real American citizens in this case. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MONDELL. Mr. Chairman, I want to be recognized for three minutes, if I may.

Mr. Chairman, the item under consideration has been increased over the appropriation for the current year by some \$75,000, and that in spite of the fact that a very considerable amount of the activities undertaken in the current year will be completed and will not be carried on in the next fiscal year.

It is true that we have a great many aliens in this country, and it is true that a great many of them need education in English. But it is also true that, without regard to the size of this appropriation, no dollar of it could be properly expended for the purpose of educating aliens. There has been quite a sentiment in favor of the Federal Government doing this work, but it can not be done under this appropriation.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield, although I have only three minutes.

Mr. WELTY. Can not this fund be used for the purpose of sending the books and the literature to the schools?

Mr. MONDELL. No part of this fund is used for sending out books. There is a separate and distinct fund for the purpose of sending textbooks out, and not a dollar of this fund is used for that purpose. What gentlemen want to use it for is "to send men around." That is the theory. There have been a lot of men employed in this service in one place and another, going around and talking to the folks, and they want to continue the employment of these gentlemen going around and talking to people—

Mr. WELTY. Making arrangements with schools.

Mr. MONDELL. There is no provision in the law under which this appropriation can be used for the purpose of "sending men around," and there is no reason why we should pay money out of the Federal Treasury for the purpose of "sending men around." [Applause.]

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. SHERLEY. Mr. Chairman, I desire to say only a word. The Committee on Appropriations is compelled to rely upon the showing made by the departments, and whenever a department can not show what it is going to do with money you can bet, to use a slang expression, nobody else can, because they have developed an ingenuity and a skill in the way of finding reasons for appropriating public money that is beyond anything dreamed of.

Now, the gentleman from South Carolina [Mr. BYRNES] and the gentleman from Wyoming [Mr. MONDELL] exhausted a great deal of energy in trying to get from Mr. Crist, who came representing these items, something to show why he needed any more money than what the committee had indicated.

Mr. WELTY. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. No; I have only two minutes. The very best they could do was to get out of him a statement by which he accounted for \$280,000 and for \$95,100. If you add these two sums together, you will get \$375,100. The committee cut it \$25,000, and that, judging by my experience of a good many years in department estimates, was a very conservative cut. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Pennsylvania [Mr. CAMPBELL].

The question was taken, and the Chairman announced that the yeas appeared to have it.

Mr. CAMPBELL of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 18, yeas 33.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

Mr. WATKINS. Mr. Chairman, unless the Committee on Labor have an amendment to offer, I would like to offer an amendment here.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WATKINS: Page 152, after line 17, insert as a new paragraph the following:

"United States Employment Service: To enable the Secretary of Labor to continue the United States Employment Service during the fiscal year ending June 30, 1920, \$10,033,080.10, or so much thereof as may be necessary."

Mr. BLANTON. Mr. Chairman, I make a point of order against it.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. SIEGEL. Mr. Chairman, I have an amendment to offer, at the end of line 16, to strike out "\$350,000" and make it "\$375,000."

The CHAIRMAN. That paragraph has been passed.

Mr. SIEGEL. No new paragraph has been read.

The CHAIRMAN. Very well. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SIEGEL: Page 152, line 16, strike out "\$350,000" and insert "\$375,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. SIEGEL. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 17, yeas 23.

Mr. SIEGEL. I ask for tellers.

The CHAIRMAN. The gentleman from New York demands tellers. Those in favor of ordering tellers will rise and stand until they are counted. [After counting.] Five Members, not a sufficient number, and tellers are refused.

Accordingly the amendment was rejected.

The clerk read as follows:

MISCELLANEOUS.

To enable the Secretary of Labor to continue the investigation touching women in industry, including personal services in the District of Columbia and in the field, \$40,000.

Miss RANKIN. Mr. Chairman, on page 152, line 20, I move to strike out \$40,000 and insert \$150,000.

The CHAIRMAN. The lady from Montana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Miss RANKIN: Page 152, line 23, strike out "\$40,000" and insert "\$150,000."

Miss RANKIN. Mr. Chairman, this provides for an investigation touching women in industry. We have had women in industry for a great many years, but during the war so many more women entered industry that it is very essential that the conditions under which those women work should be investigated and should be kept to the same high standard that we demand for men's work. Unless this is done it is going to double the expense of taking care of men in industry, for these women will undercut the men in their pay and will demoralize the working conditions. So it is very necessary to make a special study of women in industry for the benefit of both men and women. [Applause.]

Mr. BYRNES of South Carolina. Mr. Chairman, the committee in fixing the sum of \$40,000 fixed the identical sum for this work that has been carried during the current year. When this was established as a war emergency bureau of the Department of Labor during the past year Prof. Marshall, who presented very excellent reasons for it, urged that \$40,000 would be sufficient for the purpose of this particular bureau, carrying out its duty of policy making. It provided a director at \$5,000, an assistant director at \$3,500, a chief clerk at \$2,500, a secretary at \$2,000; and a very able woman was placed in charge, who up to this time has been doing her best to develop some policies and to establish standards for women throughout the country. In the very nature of things it can not be expanded into a separate department of the Government with district offices throughout the country, and, as the lady in charge very intelligently shows, it can not be made a statutory organization, but for the present should be continued.

She believes it is a special problem, and we will all admit that women are always a special problem, whether in industry or out of industry. For that reason the committee thought it wise to recommend that \$40,000, the same amount carried for the current year, be appropriated, in order that she may have a chance to see whether she can accomplish the purposes she has in mind. She stated that she arrived at this estimate of \$150,000, because she took the amount spent for women in industry in the Ordnance Department, and the amount spent in the Navy Department, and the various other departments during the war and lumped them all, and before the armistice was signed this estimate of \$150,000 was made. I think the amount appropriated for this service is ample, and I believe that under her direction it will do very good work.

Mr. HULL of Iowa. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. HULL of Iowa. What amount did the bureau ask for?

Mr. BYRNES of South Carolina. One hundred and fifty thousand dollars.

Mr. CANNON. Will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. CANNON. Has the Bureau of Statistics in the Labor Department been doing this work?

Mr. BYRNES of South Carolina. Not this particular work, but the Bureau of Labor Statistics has been doing work of this kind, and it has prepared documents on the subject of women in industry, and made investigations. Miss Van Kleeck, who was in charge of this bureau, said that possibly the work could be carried on by the Bureau of Labor Statistics; but because a separate bureau would give greater prestige to the organization, she was anxious to have it continued as a separate organization.

Mr. CANNON. This would have been subject to a point of order if it had been made, would it not?

Mr. BYRNES of South Carolina. In my opinion, it would have been, but the Committee on Appropriations realized that women are always a special problem, whether in industry or out of industry, and realizing that we have presented it to the House in order that the House might express its views.

Mr. CANNON. I think we passed it because she was a woman.

Mr. BYRNES of South Carolina. I am disposed to agree with the gentleman.

Mr. CANNON. And \$40,000 is all that is needed.

Mr. KEATING. I move to strike out the last word. I do not think it is quite fair that this should be presented to the House as a suggestion to donate \$40,000 for some fad which is urged by a woman. We have no right to appropriate \$40,000 merely to please a woman, and that is not the proposal here.

The proposition is a very serious one. It is to vitalize the bureau in the Department of Labor that has to do with women in industry; not to play up some fad, but to make special investigations and to pay special attention to the needs of thousands and millions of women who are going out every morning into the workshops and the factories of this country. I do not think the House should pass upon the proposition in the light of the airy remark made by the gentleman from Illinois [Mr. CANNON]. This is a very serious problem. The work done by this bureau is a serious work, and it is a work to which the Government of the United States should address itself. There is not a more important item in this bill than this one providing for an adequate appropriation for the Bureau of Women in Industry, and I hope the House will adopt the amendment offered by the lady from Montana. [Applause.]

Mr. SHERLEY. With part of what the gentleman from Colorado [Mr. KEATING] has said I thoroughly agree. I think there is a problem in connection with women in industry, whether it is going to continue a permanent problem in America I do not know. I am still old-fashioned enough to hope that the men of America may continue in a large measure to provide for the women of America without forcing them into industry. But in some instances they have been forced into industry and some have gone of their own predilection, and as a result of the conditions war has produced, a great many are now there.

But I desire to call the attention of the House to the fact that it is a mistaken notion that efficiency in the solution of a problem is measured by the amount of money which the Treasury is called upon to supply. The fact is I have never known in life outside, or in the Government itself, an organization to become efficient by sudden mushroom growth. It grows efficient by gradual growth; it makes itself efficient by proving step by step its work.

It so happens that the Government was fortunate in getting this particular woman at the head of this bureau. She is a woman of high intelligence and efficiency, and has done good work, but if people think that by increasing the appropriation they increase efficiency they are mistaken. With the larger appropriation, they are apt to proceed along lines that are not intelligent, that are not worth while.

There is not a department in this Government that is not to-day making a plea that it can only be efficient by having more money to spend. The history is that the more money departments have the less efficient they frequently are. What we need in America is to learn not to attempt to solve overnight all the problems that exist, and not to believe that simply by pouring out great sums of money we can thereby solve a problem. I had rather have one woman, an intelligent woman like the head of this one, in charge of the bureau than 20 people helping her, because those that help her will only interfere instead of being an actual help.

Another thing to be remembered is that the men in industry, the women in industry, those who toil, pay for governmental activities. You may not be able to put your finger on the tax, but in the last analysis the people must pay the sum. We have placed tremendous burdens on the people. Gentlemen say this is a small amount. That is always the cry. The argument was made to-day that large sums have been appropriated for certain purposes, and that therefore we ought to vote it for this purpose. It is that argument that makes necessary taxes in billions, and sooner or later there will come a Congress that will measure the work and not be prodigal with appropriations. [Applause.]

Mr. MONDELL. Mr. Chairman, this was the only service among all of the war activities that was not provided for by law that the committee recommended the continuation of. The committee took that responsibility knowing that the item was not provided for by law, that it was subject to a point of order, because we were impressed with the importance of the work to be carried on, and further we were impressed with the very evident intelligence with which the work had been carried on. It was one of the very few new war bureaus which justified itself beyond any question or controversy. I believe in this work and I believe in those engaged in it. I think my friendship for the work can not be questioned in view of my attitude as a member of the subcommittee. As a friend of this work, as a believer in the importance of the work, I shall not vote to increase this appropriation. I think that in the long run this work will be better done and more wisely extended if it is continued for another year, within the appropriation

originally asked for it, at a time when the problem was most acute in the midst of a great war. While those responsible for the work have not said so, I believe that they believe that the future of their work is quite as safe under the present appropriation as under an expansion.

What does expansion mean? Simply the establishment of district offices around over the country. Let us continue the character of the service as intended and proposed in the first instance. It was said that it was not to be a functioning service. It was stated at the hearings this year, I believe, that it was not believed to be wise to make it an extended functioning service, that it ought to be a planning service, an advisory service, a standardizing service, and that it can be such a service under this efficient organization with its present appropriation. In my opinion its friends will be better able to defend it and its work if it continues another year with this appropriation. In the meantime we can pass on the question whether there should be an extension and expansion of the work.

Mr. MANN. Mr. Chairman, we went into the war and called 4,000,000 men into the Army, and a good many more into the various civil services connected with the Army. Did the women of the country hold back? Did they do their share? Did they in many cases take the place of the men who were called into the service and perform the necessary work in order that the Government might do its proper function in providing for the Army and taking care of its share of the work? In every branch the women responded nobly. They did work which without them could not have been done for lack of labor. Are they not entitled to have the conditions under which they have gone into this work properly investigated? [Applause.] Have they not responded in such a way that we can do our little part toward knowing whether they have proper treatment and work under proper conditions? They have not held back. While I do not believe in extravagant appropriations, I think we can afford to give \$150,000 toward investigating and knowing the conditions under which they labor in this voluntary work which they have assumed and without which we could not have successfully taken our part in the war. [Applause.]

Mr. CANNON. Mr. Chairman, I just want to say a word. This provision was subject to a point of order but it was not made. This woman captured the committee. The Bureau of Statistics is well equipped to do similar work, and it has done similar work. The women, God bless them, have done their share and are doing their share, but there is no sense now in time of peace in increasing this appropriation. There is not one of these bureaus connected with the Department of Labor and with some other departments—and I shall keep close to the text—that is not now in time of peace saying, "Why, my work commenced in war, but it is a confounded sight more important for peace." That is the position of the Department of Labor. I have no objection to and I am not criticizing the Department of Labor. God knows I have trod every path that labor has trod, almost from the cradle up to mature years. You know our children and grandchildren and great grandchildren will get back to earth and touch the earth. I do not believe in increasing the work of the Department of Labor. The Bureau of Education cooperating with it, what happens? Oh, all kinds of schemes—coordinate with the States—yes, yes; coordinate with the States, and in the name of labor and education what do they propose to do?

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. CANNON. In a moment. In the name of labor and education they propose to take charge of the schoolmasters in the States. Good God! Let us keep something for local self-government. I yield to the gentleman.

Mr. GORDON. Was there any evidence before the committee showing whether or not these women who went into these industries were leaving them, and as to how many would be employed in the next fiscal year?

Mr. CANNON. Oh, just what were employed before. It is to enlarge the service. The woman at the head gets \$5,000 a year and the next one \$3,500 a year, and she made such a good appearance before this committee that—well, we caved. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by the lady from Montana.

The question was taken; and on a division (demanded by Miss RANKIN) there were—ayes 41, noes 48.

Miss RANKIN. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed Miss RANKIN and Mr. BYRNES of South Carolina to act as tellers.

The committee again divided, and the tellers reported—ayes 58, noes 68.

So the amendment was rejected.

Mr. GALLIVAN. Mr. Chairman, I offer the following amendment, which I send to the desk, and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. GALLIVAN: Page 152, line 20, insert a new section as follows:

"To enable the Secretary of Labor to advance the opportunities for profitable employment of the wage earners of the United States there is hereby appropriated out of available money in the Treasury, \$10,033,808.10."

Mr. BLANTON. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. The point of order is sustained.

Mr. GALLIVAN. Mr. Chairman, I appeal from the decision of the Chair, if we can not discuss the point of order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. GALLIVAN. Then the Chair withdraws the ruling?

The CHAIRMAN. If the gentleman desires to be heard upon it.

Mr. GALLIVAN. Of course I want to be heard upon it.

The CHAIRMAN. Upon the point of order?

Mr. GALLIVAN. Upon the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. GALLIVAN. I suppose that the Chair must have already discussed with somebody some sort of an amendment that was about to be offered at this point, but he certainly has not read this amendment. I contend that my amendment is in order.

The CHAIRMAN. The gentleman is addressing the Chair now?

Mr. GALLIVAN. Yes.

The CHAIRMAN. This makes law, does it not?

Mr. GALLIVAN. It makes no new law.

The CHAIRMAN. It makes new law.

Mr. GALLIVAN. It makes no new law. I direct the attention of the Chair to the organic act creating the Department of Labor, section 1, the second last sentence:

The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

That is the organic law of the land in this hour, and my amendment asks that the Secretary of Labor be given the wherewith to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

The CHAIRMAN. Will the gentleman from Massachusetts permit the Chair to ask him a question? Does the gentleman from Massachusetts seriously insist that the proposition contained in his amendment comes within the limits of the law that is prescribed here?

Mr. GALLIVAN. Why, certainly. I can not imagine the Chair seriously insisting that it does not. If it is not for the purpose mentioned in the organic act, what is it for?

Mr. KEATING. Mr. Chairman, before the Chair rules might I call the Chair's attention to a few authorities in *Hinds' Precedents* on this point? In Volume IV, section 3615, page 410, there is a precedent that seems to me in point:

A department being created for the declared purpose of investigation, an appropriation for the instrumentalities of such investigation was held to be within the rule.

And, if the Chair wishes, I will read the remainder of the decision, with which, I take it, he is familiar:

On February 14, 1901, the sundry civil appropriation bill was under consideration—

The very bill we are now considering—

was under consideration in the Committee of the Whole House on the state of the Union, and the Clerk had read the following paragraph relating to the work of the Fish Commission:

"Employees at large: Two field-station superintendents, at \$1,800 each; 2 fish culturists, at \$960 each; 2 fish culturists, at \$900 each; 5 machinists, at \$960 each."

And various other employees.

Mr. Olmsted, of Pennsylvania, made a point of order against this paragraph, that the appropriations proposed were not authorized by law.

After debate, during which reference was made to sections 4395-4398, Revised Statutes, to the fact that the law of 1871 created the department for the prosecution of investigations, and to the decision of Chairman Payne, on January 30, 1897, the Chairman (Mr. Hopkins, of Illinois), on February 16, held—

And he proceeded in his opinion to overrule the point of order and to hold that the fact that the department was created for the express purpose of conducting such investigations made in order the appropriations to carry out such investigations.

I do not pretend, Mr. Chairman, to be an authority on parliamentary law, but in the time I have had at my disposal I have

gone through the books with a great deal of care, and I have failed to find a single instance where an attempt has been successfully made to overrule the proposition laid down by Chairman Hopkins in 1901.

I want to call the attention of the Chairman to a case that is not reported in *Hinds'*. I am quoting now, Mr. Chairman, from the CONGRESSIONAL RECORD for the second session, Sixty-third Congress, page 6712. An attempt was made to increase the appropriation for the Children's Bureau. An amendment was offered in the form of a detailed item, in which the bureau was authorized to employ clerks and experts of one kind and another. The Chair ruled that amendment out of order.

The CHAIRMAN. Was that to increase an appropriation or to make it?

Mr. KEATING. That was to increase the personnel of the department. It was ruled out on the ground that the bill creating the bureau fixed the personnel for the bureau, and that therefore the personnel could not be increased without the passage of a bill. Then the gentleman from Iowa [Mr. Goon] offered an amendment authorizing a lump-sum appropriation to carry out one of the objects in the organic law creating the bureau, and they had a long and interesting discussion on that point.

The gentleman from Wyoming [Mr. MONDELL], who had urged the point of order against the amendment as originally offered, opposed the point of order presented against the lump-sum appropriation, and he stated the whole case in one paragraph, which I shall, with the indulgence of the Chair, read:

Mr. MONDELL. Mr. Chairman, the amendment just offered is clearly in order; as clearly in order as the amendment offered a few minutes ago was not in order. Section 2 of this law outlines the jurisdiction of this bureau, and it is clearly within the jurisdiction of this committee to bring in a lump-sum appropriation for the purpose of enabling the bureau to perform the services within its jurisdiction. The amendment which was offered to section 2 proposed to change the office personnel, which had been fixed by law, and which in the terms of the statute could only be changed by law. Of course, we could not do that by amendment to an appropriation bill, but we could appropriate a million dollars for any one of the purposes named in section 1 of the act—to investigate infant mortality, to investigate the birth rate, questions of orphanage, juvenile courts, dangerous occupations, diseases of children, legislation affecting children, etc.

Now, Mr. Chairman, our contention is this, which is the contention made by the gentleman from Wyoming in this discussion, and, as I believe, a contention sustained by every Chairman who has ruled over the proceedings of this House in Committee of the Whole House on the state of the Union for many years: The organic act creating the Department of Labor having specifically charged the department with the duty of finding profitable employment for the workers of this country, it is within the power of this House on this bill to vote a lump-sum appropriation to permit the Secretary of Labor to carry out one of the objects for which his department was created.

That is our contention in a nutshell. I might go on here taking up the time of the committee, but, as I say, I have searched these bulky volumes as earnestly as I knew how, and I have failed to find a single precedent which would sustain the Chairman in sustaining this point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I have but a word to say, and that word I did not expect to say until I heard the gentleman from Massachusetts [Mr. GALLIVAN] read the paragraph from the organic act which sets forth the objects for which this bureau or agency was established.

As I understood the gentleman from Massachusetts, the last clause in that paragraph declares that one of the objects of the organic act is "to increase opportunities for employment." That is substantially the language, is it not, Mr. Chairman?

Mr. HARRISON of Mississippi. If the gentleman will permit me, I would like to read it.

Mr. COOPER of Wisconsin. Yes.

Mr. HARRISON of Mississippi. It reads:

The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

The amendment follows the language there.

Mr. COOPER of Wisconsin. I am obliged to the gentleman from Mississippi. Now, the language in that paragraph which, in my judgment, makes this amendment germane is the expression, "to advance their opportunities for profitable employment."

For would not this amendment, if made law, "advance their opportunities for profitable employment"? Actual experience supplies an answer to that question, for experience demonstrates that the Government Employment Service does increase such opportunities. This is certainly a fact, if we take as true statements in letters which come to us not only from laboring men and labor organizations, but also from employers. Only

this morning I received a letter from the Simmons Manufacturing Co., of the city of Kenosha, in my district, an establishment employing upward of 3,000 men, in which the writer urges the retention in the law of the provision for such employment agency. I have also received several letters from other employers in my district, some in the city of Janesville, saying that the existing service enables them to secure employees readily, and laboring men write me that it has helped them to secure employment. All this being true, then this amendment proposing to keep in existence an agency which does increase the "opportunities for profitable employment" clearly comes within the meaning of the paragraph of the organic act that was read by the gentleman from Massachusetts and the gentleman from Mississippi, and which declares the objects for which the Government bureau was created.

Mr. BLANTON. Mr. Chairman, I desire to be recognized on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BLANTON. The law which sets forth the purpose of this department shows that the purpose is threefold. Simply because it specifies this threefold purpose is no reason why Congress has the right to inaugurate new legislation here and spend \$10,000,000. One of the purposes is to promote and develop the welfare of wage earners. Why, if the gentleman from Massachusetts is correct in his contention, the Secretary of Labor could contend that he could furnish every wage earner with a Pierce-Arrow limousine to ride to his place of work. That would promote his welfare. Would the gentleman contend it would not require legislation, special legislation, for the Secretary of Labor to do a thing of that kind? One of the purposes is that it is to improve their working conditions. Why, the Secretary of Labor might decide in his discretion that in order to have their working conditions improved each one of them should own a brownstone mansion. Would the gentleman contend for one moment that the Secretary of Labor could carry out that purpose from a lump appropriation without special legislation authorizing it? The other purpose is "and to advance their opportunities for profitable employment." Why, the Secretary of Labor might well say that it would advance their opportunity for profitable employment to send each one of them to Yale University or to Harvard or to Columbia, and let them take an A. B. degree. Does the gentleman contend, simply because he is to help them in their opportunities, he could decide in his discretion to give them a university education out of the lump-sum appropriation, without new and special legislation passed by Congress to authorize it?

I submit, Mr. Chairman, it does take new legislation here to authorize the expenditure of this \$10,300,000 proposed, and without new legislation authorizing it it is certainly subject to a point of order.

Mr. LUNDEEN. Mr. Chairman, under the language of the act creating the Department of Labor the amendment is certainly germane. To refuse to provide for our Government Employment Bureau is almost criminal, in view of the present crisis. Not only do I favor Government employment bureaus, but I favor strongly increasing their number and efficiency.

When it comes to the question of unemployment, I would like to say that on November 21 I introduced a resolution asking that a program be prepared by the committees of Congress, presented here, and passed, to take care of the rapidly increasing number of unemployed in this country. To-day we are faced with a situation where thousands of our soldiers are marching the streets of our great cities in search of work, many of them objects of charity. According to the Department of Labor reports as issued, hundreds of thousands of war workers are seeking work. The Employment Service of the Department of Labor told me the other day that nearly two and one-half millions of men and women were out of work in this country.

Mr. SIEGEL. Will the gentleman yield?

Mr. LUNDEEN. I will.

Mr. SIEGEL. I would like to know who gave the gentleman that information.

Mr. LUNDEEN. The Department of Labor.

Mr. SIEGEL. I saw Mr. Densmore, and he told me that there were not more than 350,000 people out of work in the country.

Mr. LUNDEEN. I will say this in that connection, that there are 122 cities that are reporting at the present time, and these 122 cities give only a partial list of manufacturing establishments in those cities. This does not begin to cover the country.

The action of the Appropriations Committee in striking out the \$10,033,080.10 asked by the Labor Department for its employment agency can not be defended. The immense and distressing problem of unemployment which the country faces

to-day with millions of men and women now in enforced idleness should compel that committee to reconsider its action.

I feel that the course of this Congress in sitting here for the past four months and refusing to do anything to provide employment for the millions of demobilized soldiers and war workers has been most reprehensible.

On November 21, 1918, only a few days after the armistice was signed, and when we knew that demobilization was upon us, I introduced a resolution, House resolution 452, directing the great committees of the House to provide work for the unemployed, which, had it been promptly acted on by Congress, would have avoided all the distress and danger which has since come upon the country by the creation of this vast compulsory army of nearly two and a half millions of unemployed men and women we have to-day, with the long train of evils and distress which it inevitably entails, to say nothing of the loss of billions of wealth to the country which is necessarily the result of the enforced idleness for months of millions of our wealth producers.

The Labor Department Employment Agency should have its proper appropriation as asked for by the department and as recommended by the minority report. But an employment agency does not and can not create opportunities for employment for anyone; it can only indicate to employers and workmen the places where shortage or surplus of labor exists; that is a proper and excellent part of the service. But it can not create the vast opportunities for work required to furnish employment for these ever-increasing millions of unemployed. That can only be done by opening up to labor the vast unused natural resources of the Nation with the aid of either private or Government capital. But as private capital "hesitates" to invest, waiting in hope of lower prices and lower wages, and as millions of men, women, and children can not and will not stand idle and starve while the capitalist "hesitates" and waits for lower wages and prices, there is but one thing to be done, and that is for the Government, which by its war program has created this abnormal condition, to step in with ample capital which it is able to command and in the various appropriation bills provide the means for opening up employment for all those in enforced idleness.

The Employment Service of the Labor Department says, "Since the war we have been finding places for workers in this country at the rate of 100,000 per week." But there are since the war 250,000 unemployed a week for whom they did not find places. There are at present nearly 2,500,000 unemployed in the United States, and the Labor Department reports that "the peak has not yet been reached"; their number is constantly increasing by whole armies of men and women each week.

What would this mere drop in the bucket of \$10,000,000 for the Employment Service for the whole year amount to if directly applied as a means of providing employment for 2,500,000 unemployed? That would be \$4 apiece. How much employment will that furnish? It will pay for less than one day's work apiece for the millions already out of employment and leave not a cent for the other millions who at the rate of thousands of men a day are being thrown into enforced idleness.

What this Congress should do is to provide, in this and in the other appropriation bills, sums sufficient to furnish work for every unemployed man and woman in the United States.

At the present rate of increase by the 1st of May there may be nearly 4,000,000 out of work, and at \$4 wages per day apiece that would require \$16,000,000 per day, and 300 working days for the year would amount to \$4,800,000,000. That is the sum which is needed to-day to be appropriated in this sundry civil bill and the other appropriation bills of this Congress if we are to deal in any adequate and effective way with this vast and ever-increasing army of the unemployed, already numbering nearly two and a half millions, and which is being increased every week by hundreds of thousands of compulsory recruits.

The moment Congress starts providing the money for employing those out of work it will instantly encourage and stimulate private capitalists in all lines of industry. For no one knows better than the capitalist that when the Government gives work to all the unemployed the market demand for their products in every line of business will be both permanent and profitable.

Every man employed on Government work helps to make jobs for others in private employment to make the goods he will buy. With all men and women employed, the average wage will steadily and naturally rise. But high wages do not necessarily mean high prices and high cost of living, for with the vast improvements in roads, transportation, and storage facilities which Government work will provide the flow of farm, forest, and mine products to the cities and city products to the farm and mine will in time increase the supply and reduce the price of all the necessities of life.

The weekly report on labor conditions issued by the Department of Labor, February 22, 1919, gives 73 cities reporting a surplus of labor of 355,597 unemployed and a shortage in 15 cities of 7,900, and this is only a partial report from the industrial centers. On November 30, 1918, 29 cities reported a shortage of 33,878, and 12 cities reported a surplus of 11,114. Between these two reports conditions have steadily grown worse, and the peak has not yet been reached. We are now informed by the Labor Department that there are now about 2,000,000 unemployed in the United States to-day.

A writer in Reconstruction, Frederick K. Kerby, says in February, 1919:

A million and a quarter workers are jobless to-day in the United States of America. They are, to use the official expression of the United States Employment Service, "involuntarily unemployed." That is to say, they want work and they can't get it. This estimate, based on official returns and made for me by the statistician of the New York headquarters of the United States Employment Service, covers the situation at the end of January. By the 1st of March, at the present rate of increase, the army of the unemployed will have reached at least 2,000,000.

Dr. George W. Kirchwey, Director United States Employment Service for New York State, says:

I do know that the great centers of population throughout the country are going to suffer a condition of unemployment which may easily become serious in the course of the next 30 days.

We must work out some reorganization of our industrial system that will provide public buffer employment for those who are not employed in private industry at any given time. That will prevent these eternal swings of the pendulum from prosperity to adversity. We must speed up all kinds of works of public improvement in cities, counties, States, and Nation if we would avoid the dangers that are ahead of us. There is no time to be lost; if we do not get action, and quickly, it may be too late.

This condition of affairs is not entirely unexpected. Many who are well informed issued warnings from time to time, asking some program for the period of reconstruction immediately following the cessation of hostilities. On December 7, Nathan A. Smyth, assistant to the director general of the United States Employment Service, stated that unemployment is the greatest danger confronting the United States during the next four months. The New Republic, as early as March 30, 1918, reported that—

Contrary to the prevailing impression, there are many hungry and unemployed men at the gates of our shipyards and munition plants to-day—not so many as there were in December and January, but yet a large number.

On November 21, 1918, I introduced the following resolution:
House resolution 452.

Whereas the rapid demobilization of 4,000,000 soldiers and 10,000,000 or more war workers in the United States during the next few months is liable to create a great body of unemployed; and

Whereas these conditions are brought about as a direct result of the exercise of the war-making power by Congress: Therefore be it

Resolved, That it is the plain and imperative duty of Congress to at once initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness during the coming months.

Resolved further, That as a first step to remedy the danger of widespread unemployment of millions of our people during the winter and following months, this House hereby authorizes and directs the Committees on Labor, Interstate Commerce, Public Buildings and Grounds, Rivers and Harbors, Naval Affairs, Military Affairs, District of Columbia, and Post Offices and Post Roads to each make an investigation as to the possibilities of work for the unemployed in those branches of industry, either in public or private employment, coming within the purview of each of the above committees of this House.

Resolved further, That said committees shall have power to subpoena witnesses and administer oaths, to send for persons and papers, and employ such assistants as may be necessary to carry out the purpose of this resolution, and to report to this House on or before December 20, 1918.

Had this resolution been adopted, and a program formulated and passed by Congress, as indicated therein, there would not be a single person in enforced idleness in the United States to-day, nor would there be any unemployed at any future time as long as this remains the policy of the Government; and in justice to the men and women who labor it ought to be the policy of the Government for all time to come. This resolution asked action by Congress by the 20th day of December, 1918, and a hearing was had by the Rules Committee on December 10 and 11, 1918. I have placed the resolution in the RECORD for the information of the public, together with certain extracts from the hearings before the Rules Committee on the resolution.

On January 2 I introduced a bill creating a Bureau of Unemployed in the Department of Labor. I ask that this bill be made part of the RECORD:

A bill (H. R. 13592) to amend an act entitled "An act to create a Department of Labor" by providing for a bureau of the unemployed.

Be it enacted, etc., That an act entitled "An act to create a Department of Labor," approved March 4, 1913, be, and the same is hereby, amended by adding the following section:

"Sec. 12. That there shall be in the Department of Labor a bureau to be called the bureau of the unemployed, and a commissioner of the unemployed, who shall be the head of the said bureau, to be appointed by the President, by and with the advice and consent of the Senate, who shall receive a salary of \$6,000 per annum. There shall also be in said bureau a deputy commissioner, who shall receive a salary of \$4,000 per

annum, and who shall, in the absence of the commissioner, act as and perform the duties of the commissioner of the unemployed, and who shall also perform such other duties as may be assigned to him by the Secretary of Labor or by the said commissioner.

"The said commissioner shall have power and authority under the direction of the Secretary of Labor—

"(a) To take a census, at as frequent intervals as possible, of the unemployed in the United States.

"(b) To make and keep a classified enrollment of the unemployed by avocations.

"(c) To correct and keep full records of the industrial and commercial conditions throughout the United States, especially in relation to opportunities for the employment of labor.

"(d) To furnish the fullest possible information to the unemployed of opportunities for employment in any part of the United States and to devise plans for facilitating the movement of the unemployed to places where opportunity for employment exists.

"(e) To make investigations and report to Congress and the President annually on the 1st of December, and oftener if requested, the extent of enforced idleness and unemployment in the United States and the causes thereof, with suggestions for remedies for the same.

When the bill creating the existing executive department to be known as the Department of Labor was first introduced in Congress in 1902 it was plainly indicated in the structure of the bill and in the arguments before the Committee on Labor of the House that one of the principal purposes of the framers of the law was that the new department should be a large and important instrumentality of the Government for solving the distressing and dangerous problem of the unemployed.

H. R. 13592 in substance was introduced in the House first in 1915 by Representative Fowler, of Illinois, but no action was taken thereon. Shortly after an attempt was successfully made to embody part of the plan in an amendment to the Labor Department law creating a United States employment agency. Many Members of Congress and others in the executive branches of the Government seem to be under the impression that by merely creating an "employment agency" in the Department of Labor they would be creating employment. This was a costly error, for while an employment agency is useful as a means of advertising the temporary scarcity or surplus of labor in localities and saving the workers from the fees of private employment agencies, it does not and can not furnish one single additional day's employment for one single man or woman in the United States.

My bill, H. R. 13592, provides that the Department of Labor shall "make investigations and report to Congress and the President annually on the 1st of December, and oftener if requested, the extent of enforced idleness and unemployment in the United States and the causes thereof, with suggestions for remedies for the same."

Thus the Department of Labor, in conjunction with Congress, will be able to plan and provide for the opening of new opportunities for employment on such lines as will effectually solve the problem of the unemployed and forever banish from the United States the curse of enforced idleness and its resulting poverty and misery, to say nothing of preventing the present loss of from three to ten billions of dollars of wealth annually which results from involuntary idleness of our wealth producers.

It is known that Australia and Canada are well advanced in their reconstruction programs. Australia and Canada have made extensive preparations; so also has England; and Italy has appropriated 3,500,000,000 lire for the same purpose. Other countries might be enumerated. In fact, the United States, so far as I know, is the last country to take any action; in fact, we are just beginning to think about doing something. We are now in the position of loaning or giving great sums of money to foreign nations, with which these countries make possible some sort of program for their unemployed after the war, while we, who furnished the money, are drifting into a very serious condition of affairs at home. This very month Congress has appropriated \$100,000,000 for foreigners through the push-button methods of an absent President, but I have yet to hear of a dollar being appropriated for the relief of distress in America. I am a believer in the policy of America first; foreigners second; and I am proud of it. I will never, so far as I know it, vote for or consent to a policy of foreigners first and Americans second.

It is true that we have a Labor Department, and we have employment bureaus. This, however, merely distributes positions already existing; it does not create new positions. The bureau and departments can not lay down a program of road building, reclaiming lands, such as swamp lands, cut-over lands, and irrigated lands, and open to labor hundreds of millions of acres of good, productive land now being held out of use by speculators and monopolists. I venture to say that if something is not done soon to relieve distress in this country, Congress will hear from our great industrial centers in no uncertain way; in fact, already we are in receipt of many letters and resolutions demanding that something be done. Strikes and growing unrest are now the order of the day. There are those who scoff

at the idea of unemployment in this country. They seem to fear to admit that such a condition exists or that it may grow worse. In fact, if the war were actively on, anyone who might seek to remedy the condition would be called pro-German possibly, or perhaps disloyal. Certainly, those who seek to better conditions are loyal to the people who work and to their families who are suffering want. If, however, such action is hostile to the great employers who desire lower wages, in order that they may increase their profits, if that is disloyalty, I am willing to accept that term.

In the contest between man and money I am for the man as against the dollar. The man who is willing to work and able to do work is entitled to a position; and if he can not find a position, it is the Government's duty to find one for him; and if the Government can not find one for him, it is our duty to create a job, so that he may support his family and not become a seeker for charity, which destroys the morale, weakens the strength, and degrades the character of our citizens.

Just the other day here in Washington a leading bank inserted an advertisement for clerks; 172 replies were had. A short time before hostilities ceased the same bank received no replies to the same ad. One employer who sought a stenographer before the armistice, the other day advertised and received 53 applications. These instances can be cited in any number. In Boston, New York, and many other centers thousands of returned soldiers march in parades demanding work.

On the 29th of December the surplus labor supply was rapidly approaching the point of danger, and it was announced in the headlines of the press, "Lack of work may keep men in the Army."

The American soldier will not remain in the Army for any such reason. He is still an American, and he will stand on his rights, and he has the right to be released when the war is over; and the politicians who oppose his release will have 4,000,000 soldiers to contend with when they seek political preferment in the future.

The Wall Street journals are already talking cuts in wages, and state that such reduction will surely come before the end of this year. There are plenty of roads to build, plenty of cut-over lands to put in condition for future farmers, swamp lands to be drained, irrigation projects to be developed, and many other public works on which soldiers and war workers can be used, and, for that matter, anyone who is out of employment. Above all, there are in the United States hundreds of millions of acres of good farm lands, forest and mineral lands, the natural opportunity for millions of men to employ themselves, which are to-day being held out of use by individual and corporate speculators and monopolists. If we, as the chosen representatives of the people, fail to protect our own people, ours will be a heavy responsibility.

Mr. Hoover, who has resided in London for the past 20 years, says that "America must furnish 20,000,000 tons of foodstuffs to hungry Europe this year," but he does not mention anything about supplying milk to the half-starved children in New York City. Our Labor Department has issued statistics showing that thousands of babes die in our country every year for want of milk. Says the Washington Times:

It isn't pleasant to read of a mother with six young children able to buy 3 pints of milk every other day, or to read about hungry babes angrily beating with their little fists on their mother's breast.

Every ton of food shipped to the foreigner creates just so much of a greater scarcity in the United States, and we pay for this scarcity in higher prices for food. A higher cost of living is the penalty.

One out of every five school children in New York City is starving and 7 out of 10 are undernourished to such a degree that they are fertile ground for wandering disease germs. Labor statistics show that in 10 years, from 1907 to 1916, there was a gradual increase in wages, amounting to 16 per cent. In the same period retail prices of food rapidly increased to 19 per cent in 1912, 25 per cent in 1914, up to 39 per cent in 1916. In January, 1917, this increase had reached 56 per cent, and in February 62 per cent. Milk is becoming more precious than the spices of Arabia, while our wheat goes to our associated nations, who industriously consume beer and whisky made from American cereals; but the American school child grows thinner, and is often struck down by disease; and that is our manner of beginning charity at home.

In England and Wales only 10 per cent of the school children were found underfed after two years of war. In New York City 21 per cent of the boys and girls between ages of 8 and 13 are lacking proper food. Conditions are rapidly growing worse. The percentage was 11 last year, and that was bad enough; and, strange to say, in that great city the socialist aldermen are leading the fight and labor is backing them up, while many so-called

patriotic taxpayers and so-called loyal real estate owners are doing everything in their power to obstruct relief measures.

We must not forget that before the world war began the United States was drifting into a frightful condition of unemployment in the manufacturing, building, transportation, and miscellaneous trades. In the State of New York, out of 1,184 union members, 18.8 per cent were reported idle at the end of March, 1912; 21.8 per cent at the end of March, 1913; 28.3 per cent at the end of March, 1914; 27.4 per cent at the end of March, 1915; and 16.4 per cent at the end of March, 1916. These figures show the rapid increase of idleness during the first part of Wilson's administration, the decrease of idleness after outbreak of the world war, and the stimulus that war orders have given languishing industries of the country.

Congress should heed the voice of the Chicago Federation of Labor, November 30, 1918, in their platform, section 4:

Abolition of unemployment by the creation of opportunity for steady work through the stabilization of industry and the establishment through periods of depression of Government work on housing, road building, reforestation, reclamation of desert and swamp, and the development of ports and highways.

We must not forget that while our soldiers fought bravely at Cantigny, Chateau-Thierry, Argonne Forest, and St. Mihiel, that here at home in the trenches of labor millions upon millions of patriotic American citizens were toiling to forge the weapons and missiles of war with which they achieved victory. Without American labor standing behind the American soldier, victory never could have come to our banners. We owe much to these men. They carry upon their backs the industries and the prosperity of the country, and it will be an evil day for the Nation when Congress and the legislatures forget the debt we owe them. The man who leaves home in the early morning—yes, in the gray of dawn—oftentimes toiling until the twilight; the man who must eat his meal from the dinner pail, grimy and weary with toil—this man, I say, is the backbone of the Nation. You may talk about money and brains, but labor is prior to and independent of money; and when it comes to brains, the American workman is able to run the United States, to furnish our leaders, our generals, our captains of industry, and the foremost men in every line.

In recent years I have often heard it said complainingly that labor has forced demands for higher wages and better conditions. When their rights are denied, when no relief is given, it is the right of American labor lawfully not only to demand but to force better conditions by means of organization, by means of strikes, and by means of demands which can be easily understood. With 2 per cent of the people owning 65 per cent of our wealth, one of the great future problems will be to bring about a more general distribution of this tremendous wealth.

We must pass prosperity around. We continue to concentrate the wealth of this Nation in the hands of fewer and ever fewer numbers of men until now a small circle controls the entire output of the country. The Government is now reaching out for this wealth and taxing it away from these robber barons who have made life miserable and intolerable for the great mass of our citizens for these many years.

Our people have not forgotten the watchwords of the French Revolution, "Liberty, Equality, Fraternity." When royalty and landed nobility of that day were overturned, the workmen of France carved these words into the archways and over the entrances of every public building, of every cathedral throughout the land, and they remain there to-day that all men may behold.

While traveling through France recently I saw an approaching engine, and on the tender the word "Etat." I supposed, of course, it was the equivalent of our Baltimore & Ohio or Pennsylvania, but learned, to my surprise, that Etat means the State, so that here the nation owns the railways, locomotives, and rolling stock; it is the people's property to do with as they see fit and it is not the plaything of one man or a set of men who set themselves up as having the divine right of wealth, which to me is as abominable a doctrine as that of the divine right of kings. There are to-day in this country more than 2,000,000 unemployed. I hope that number will not increase, but many well-posted authorities tell us that this number will increase, that it will reach two and a half and perhaps three million unemployed. Therefore, it is high time that appropriations are passed for America and to disentangle ourselves from Europe and her quarrels, and seek first the welfare and well-being of our own people at home. The brave lads who fought our battles for us abroad will be in no mood to listen to excuses when they return, and they will return in the not distant future—2,000,000 of them to join 2,000,000 more who did not cross, and I ask you gentlemen to remember that since the beginning of time the soldier and the veteran is a man who

looks you square in the eye without fear or favor and gives you his ideas and plans straight from the shoulder. Men who have faced death on the field or prepared themselves in spirit to meet that ordeal will not quail before problems and politicians at home. They will demand results; they are strong; they are ambitious; they want work, and they are going to get it; if not at first, then finally when the pressure of public opinion compels action on the part of Congress.

To meet the needs of this situation, the following statements were presented in hearings before the Rules Committee by myself and others. This was in support of House resolution 452, which I introduced November 21, 1918:

UNEMPLOYMENT BY REASON OF DEMOBILIZATION OF SOLDIERS AND WAR WORKERS.

COMMITTEE ON RULES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., Tuesday, December 10, 1918.

The committee met at 10.30 o'clock a. m., Hon. EDWARD W. POW, presiding.

The committee thereupon proceeded to the consideration of H. Res. 452 and H. Res. 463.

The CHAIRMAN. Gentlemen, we have two different resolutions before us this morning, the only difference between them being that 463 has added some committees to 452.

Mr. LUNDEEN, the committee will now be glad to hear you.

STATEMENT OF HON. ERNEST LUNDEEN, MEMBER OF CONGRESS FROM MINNESOTA.

Mr. LUNDEEN. Mr. CLAYPOOL's resolution, 463, and mine are alike, with the exception that to his have been added several more committees, as the chairman stated. The question is as to how many there shall be. I think we can agree on one proposition, and that is that the Congress ought to take steps to see that there will be no unemployment, if such a thing is possible, rather than to cure unemployment after it arises. That seems to be the attitude of other governments. I have been looking over some of the activities in this regard of the government in Australia, Canada, and England, and I find they are going ahead on the theory that if the governments of these different colonies and countries do not take steps to prevent unemployment they are going to have it on their hands, and then have to cure the evil after it arises. For instance, in the congressional files in the reading room of the Library we find that Canada has already passed a bill for a three years' program—\$50,000,000 the first year, \$100,000,000 the second year, and \$150,000,000 the third year; \$300,000,000 in all—right along these lines. Of course, we have a Labor Department, we have the employment bureaus, and there is a movement on foot to consolidate and to coordinate the municipal, State, and national employment bureaus. But that is not going to reach the thing we want to reach. In the Committee on Irrigation of Arid Lands, of which I am a member, we have been talking for more than a year about doubling the amount of money now invested. We have over \$100,000,000 in the irrigation projects, and Secretary Lane thought we ought to put another \$100,000,000 in there.

That is only one of the committees. Such matters as swamp lands and cut-over lands should be considered. We have a great deal of cut-over lands in our State of Minnesota.

Mr. FOSTER. What would you do with those cut-over lands, Mr. Lundeen? I do not understand your proposition in that respect.

Mr. LUNDEEN. Well, there was a project discussed a great deal some years back by the Minnesota Legislature about having State farms, the State selling the land to the individual for a number of years, say 40 years.

Mr. FOSTER. I know; but what I am getting at is what you thought the Government should do.

Mr. LUNDEEN. They would clear, say, 10 acres of that land, so that he could have enough to support himself on; we will say put in a well, erect a house there—

The CHAIRMAN (Interposing). Loan them money on the land at a per cent, and then the man could pay it back.

Mr. LUNDEEN. This is a project which is approved by the most conservative business men of the State.

Mr. LUNDEEN. This proposition is a resolution instructing committees to remedy the danger of widespread unemployment. Here is a committee on roads. They might bring in a recommendation after this resolution were passed, after investigating, that we could put in a billion dollars in transcontinental roads in the United States, and that there should be feeders running in different directions, and that the surplus labor be put to work on that.

Mr. FOSTER. How are you going to finance it? What is your idea? You say a billion dollars for roads; how are you going to get the money?

Mr. RODENBERG. By the issue of bonds?

Mr. FOSTER. That is what I want to find out.

Mr. LUNDEEN. My idea is that the Government get behind this, as the Canadian Government has in appropriating \$300,000,000. For instance, we are all going to do all we can for the soldiers. But their problem is easier than that of the war workers, because the soldiers are going to be given a preference by law or given a preference without law. We will see that the man who fought the battles is given a place.

The CHAIRMAN. I want to ask you a question. Do you think there is any danger of any widespread lack of employment, except possibly from the demobilization of our Army?

Mr. LUNDEEN. Yes; I do.

The CHAIRMAN. In other words, there has been approximately 4,000,000 men who have been under arms. If they were taken care of, do you think there would still be any considerable danger of lack of employment in the country?

Mr. LUNDEEN. Yes; I do. In 1914—I have papers here, though it is not necessary to go into them—but the statistics show that in that year, when the war broke out, for instance, in some labor unions in Chicago there were 28 per cent of their members out of work. There was very heavy unemployment throughout the United States at that time, and it was increasing. That was the 1st of August, 1914.

Mr. SNELL. Sometimes a labor union will say there is lack of employment because they will not permit their members to work unless they accomplished certain results or the employers do certain things.

Mr. LUNDEEN. As a general thing, those who are not in the union have a heavier rate of unemployment than those in the unions, because the unions are better able to take care of their members.

Mr. SNELL. In our country we have done away with trying to improve roads and do necessary repairs, because we have not had the labor and it has been impossible to get it for the last three years, and away back in 1914 they could not get help enough to do the work.

Mr. LUNDEEN. Only in certain skilled lines.

Mr. SNELL. This was absolutely unskilled labor.

Mr. RODENBERG. That was due to the wonderful activities of the munition plants, where they paid such high wages.

Mr. LUNDEEN. I believe the Government machinery ought to be put to work on this problem at once, and that these people ought to be called in and that the committees ought to have sittings on this proposition.

Mr. GARRETT. I am not taking issue with you on that. That is probably correct. But I am just speaking now as to the necessity of this particular resolution. Why have they not all the necessary authority already—all these committees—to do the very thing proposed in your resolution.

Mr. LUNDEEN. There is the grave danger of Nation-wide unemployment and enforced idleness of millions of men and women. It should be gone into by all these committees, not only with respect to unskilled laborers but all others. The need is for quick results; therefore the committees should have to the full the powers given them in the resolution. There should be no delays and there should be ample power to get the facts from persons and papers.

Mr. LUNDEEN. Of course, there will be public buildings and all that sort of thing. Speaking of what I was mentioning here awhile ago, on March 30, 1918, the New Republic had then to say: "Contrary to the prevailing impression there are many hungry and unemployed men at the gates of our shipyards and munition plants to-day; not so many as there were in December and January, but yet a large number." Certain skilled people, of course, are provided with work, but here you have unemployment right at the shipyards.

Mr. SNELL. That same came from the Department of Labor down here in the city, did it not?

Mr. LUNDEEN. No; it did not.

Mr. SNELL. They have claimed all the time there was plenty of labor, but I personally could never believe that.

Mr. LUNDEEN. This was furnished me by the Legislature Reference Bureau over here in the Congressional Library. As soon as we get back to the prewar basis we are going to have the same condition that we had in 1914, only aggravated, I believe. And while the Australians and Canadians and the British are taking hold of this, which many of them did before the war ended, I do not see much evidence here that we are grappling with the problem. We must be forehanded in this matter and not let it arise and then cure it after it gets underway.

I do not say that is exactly the form of the resolution that should be passed or that it exactly names the proper committees, but committees ought to take it up and they ought to summon these people and they ought to cooperate with the departments who are having it in hand. Congress is going to be held responsible, I believe, for the condition of labor within the next few months. These men are being demobilized at the rate of 200,000 a week, or 30,000 a day, and, supposing the President keeps 1,000,000 men or so over in Europe, there will be another million coming back from "over there." They will be displacing the war workers here, because the soldier will always be taken care of first.

The CHAIRMAN. You are right about that, and my thought has been that if we provide for taking care of the men who have fought in the Army—which, of course, everybody feels we should do; in fact, we needed a man here, and I sent down and announced my preference for a soldier, if we could get him. The young man is here this morning. I think this is typical of what everybody is doing, that if we could provide for the taking care of the Army, it would seem to me that ought to come pretty near solving the situation.

Mr. RODENBERG. What is going to become of the other 3,000,000 or 4,000,000 the soldiers are going to displace? We have got to make some provision for those people.

The CHAIRMAN. I have my own idea as to the best way to take care of the soldiers.

The CHAIRMAN. My idea is that the Government ought to stand behind these soldiers until they get back in their employment, to stand behind them for two or three years, if necessary—soldiers and sailors, too.

Mr. LUNDEEN. Here is a statement by Mr. N. A. Smyth, assistant director general, United States Employment Service. He is right in touch with the situation, and he says this [reading]:

"Unemployment is the greatest danger confronting the United States during the next four months the labor reconstruction conference was told at its meeting here to-day by Nathan A. Smyth, assistant director general of the United States Employment Service."

"Soldiers are being discharged by the thousands daily on the basis of military units, with no reference to whether or not they are now needed in industry."

"There is every prospect that unless remedial measures are promptly taken the sight of stranded, workless, moneyless soldiers will be common throughout the land."

"The great danger in the coming four months is that there won't be jobs enough to go around; that unemployment will come with attendant misery and social unrest at a time when anarchistic tendencies are contagious."

"Chiefly must we look to our manufacturers to carry the burden. But they are hesitant. Taxes are not yet determined. The cost of money is high and credit timid for a while. The prices of raw material and labor are high. The producer hopes they will fall, and manifests a tendency to wait till they do. To meet each of these deterrent features is an immediate national task."

Mr. CAMPBELL. That was the impression I had of the situation, but these business men, these employers of labor, seem to take the other view of it. Do you understand what is their source of information? Have you looked into the matter sufficiently to know what their source of information is?

Mr. LUNDEEN. I do not know where they get their information. I think they are absolutely wrong. Every country in the world is anticipating unemployment, and every country in the world that is forehanded and forward looking at all is going to meet it. As I mentioned

early in my statement here, they are putting forth all sorts of projects—first, to take care of the soldiers, and, secondly, the war workers. All sorts of road-building and housing projects and State farms are being projected.

Mr. LUNDEEN. Take, for instance, one of the factories in my home city. Before the armistice 25 or 30 men would apply for work each day, while since the armistice there has been double the number of men asking for jobs. That may be partly due to the fact that one large plant in my home city burned and threw several thousand men out of employment.

Mr. SNELL. That may be a peculiar situation due to an unusual condition.

Mr. LUNDEEN. But they were asking for jobs even before this plant was burned, and it has increased since then; and also due to the fact that they formerly used three shifts, and two shifts have been dispensed with, and only one shift is now working in almost all of the foundries and steel and iron works in our home city. But that is only one portion of the country.

The resolution looks toward a survey of the situation. Since we have had surveys of various kinds, I do not see why we should not have a survey on this proposition by the committees of Congress, with authority to call these men before them and administer oaths and inquire and look into the general situation.

The CHAIRMAN. It is clear they have to employ assistance.

Mr. SNELL. I think that goes altogether too far.

Mr. GARRETT. These committees already have their clerks. What will be the necessity, Mr. LUNDEEN, taking the suggestion there as to the lack of authority on the part of these committees to subpoena witnesses, of their being clothed with that particular authority to summon witnesses and force the attendance of people to discuss this problem? The interest in it surely must be great enough that they would come voluntarily without being brought by subpoena to discuss a great economic situation. I hope you will understand I am not undertaking in any way to discredit your efforts. Your motives do you credit. I am merely speaking of just what sort of a situation we would be in if we carry this resolution or some resolution to the floor of the House. What answer could we give to such inquiries as I am now making?

Mr. LUNDEEN. If men come willingly there would be no necessity of using that power; if they do not, we could see that they do come in.

The standing committees enumerated in the resolution should by all means have all the powers granted them by the last paragraph of the resolution. The fact that the chairmen and members of those committees are not now of the belief that their committees possess these powers, and therefore have not acted and will not act, is one of the strongest reasons for the passage of the resolution. Another reason is that the resolution is not only a specific direction and authority to act at once, which is conferred on these enumerated standing committees of the House; but it is a broad and positive declaration of principle and public policy on the part of the House, which is a definite reassurance and pledge to the soldiers and the war workers, as well as the people generally that as they stood by the Nation in its need of men and women to fight and work for political liberty in foreign lands, so now the Nation will stand by them in their need for employment and economic liberty here at home.

The CHAIRMAN. Is it not your idea, Mr. LUNDEEN, that there is probably a real danger of unemployment; that your opinion in that respect being sustained by the action taken by these other countries—England, Australia, and Canada—that up to the present no concrete action has been taken to meet that possible emergency, and that your resolution is more in the nature of a suggestion to call it to the attention of Congress in order that some action may be taken to meet this possible emergency?

Mr. LUNDEEN. That is just what I have in mind, and along that line the President in his address of November 11 said this (reading):

"The ordinary and normal processes of private initiative will not, however, provide immediate employment for all of the men of our returning armies."

"It seems to me important, therefore, that the development of public works of every sort should be promptly resumed, in order that opportunities should be created for unskilled labor in particular, and that plans should be made for such developments of our unused lands and our natural resources as we have hitherto lacked stimulation to undertake."

In a great many sections of the country public work can not be undertaken during the winter, and it will be several months before public work can be undertaken, and these men are being discharged now, in the fall of the year, with winter approaching, and when there is lack of work.

The CHAIRMAN. If you are mistaken, then no harm can come from having what you call a survey. If there shall be found widespread unemployment, then it is worth the trouble and expense involved in trying to meet it.

Mr. LUNDEEN. I think it is the first duty of Congress at this time to look into it and make a survey.

Mr. CAMPBELL. Would you have that done by all these committees or one committee, as has been suggested?

Mr. LUNDEEN. I introduced a resolution naming several, and another Congressman introduced a resolution naming still more committees, and it has been suggested here that we have just one committee. It makes no difference to me, but I want somebody to get at it.

Mr. SNELL. If you want definite action, you better have one committee.

Mr. CAMPBELL. Have you any knowledge as to whether a committee of the Manufacturers' Association has taken up the question or not with a view of restoring or readjusting their industries to peace conditions and employing labor, the need for just what you all want done?

Mr. LUNDEEN. Along that line they are hesitating until the taxation problem has been fixed. They are doing, I am sure, all that they can do; but you know the armistice came upon this country very suddenly. I presume the American private was the only person who foretold the armistice. You remember when he said, "Hell, heaven, or Hoboken by Christmas." All the generals and everybody said it would take until next spring before an armistice could be hoped for. I do not suppose they have been able to readjust themselves, and I am sure they are doing everything they can. But I believe that the Government will have to assist in the situation; that we should not allow this road program to go by the board, or perhaps something along the irrigation line, or something like the swamp-land and cut-over land program; that

a committee or several committees or many committees of Congress should take hold of it right away.

Mr. CAMPBELL. I agree with you. I think the Committee on Roads, Irrigation, Arid Lands, and any committee that has authority on these swamp lands should take all those questions and employ laborers at once, or just as soon as it can be arranged. I think the Appropriations Committee should take the question up.

Mr. GARRETT. Here is the Committee on Flood Control, which is not mentioned. That would be one committee.

Mr. FOSTER. It may be in the other resolution.

Mr. LUNDEEN. Others are named in Mr. Claypool's resolution.

Mr. FOSTER. I notice you mention the Committee on Post Offices and Post Roads. Of course, I do not suppose it would be insisted that that committee should undertake to arrange for positions beyond the need of the public service.

Mr. LUNDEEN. No; I do not think that that should be done. But if there is some future work that should be done and it can be just as well done at the present time, it should not be delayed. The slack should be taken up by all these different committees. I do not want to take any further time just now.

The CHAIRMAN. We will now hear Mr. CLAYPOOL.

STATEMENT OF HON. H. C. CLAYPOOL, MEMBER OF CONGRESS FROM OHIO.

Mr. CLAYPOOL. My part in this is quite brief and merely supplementary. Finding that our friend (Mr. LUNDEEN) had introduced a resolution, it only occurred to me that a few committees should be added, and that is the part I undertook to supply. I first started simply to amend this resolution, but it amounted to an entire resolution by the time they got it printed.

I may be all wrong in this. I came here this morning from home with the idea that there was a real danger of the unemployed. That was the impression where I had been traveling. I came here to learn that there is probably no such danger existing, and I am pleased to death that there is not. Surely, if we can get down off of the high perch where we have been preparing a great Army, running the manufacturing plants to the high point in producing munitions of war and clothing and everything that goes with a great Army, if we can get off of that eminence to the normal without a jar, I am tickled to death. There is not anybody more pleased with that than I am.

But, you will pardon me, we all have our opinions. I do not believe we can do it. There are many things which enter into it. Even before 1915, as has been said here by some of the Members when everything was stimulated by a foreign war, we were on the verge of manufacturing tramps. We had more men than we had real use for. Now, we have gone through that period. Not only the foreign war, but our own coming into the war a year and a half ago has stimulated everything to the high point. Even this has entered into it: Back home, in the farming country where my friend CAMPBELL lives and where I live, farmers are arranging to get along with fewer men. They are using the tractor, they are doing this and that, using machinery for husking and cutting corn, and learning to get along generally without so many men. Even that is going to enter into it. Take the great factories; they are going to hesitate a little while to know just what to do. Beyond the new conditions following the great war like we have just had is going to develop—

Mr. CANTRILL. Mr. CLAYPOOL, if the farmers are making this great demand for tractors and machinery, would it really not have the effect of increasing the demand for labor, because it will take those men to make all this machinery in the factories which the farmers are demanding?

Mr. CLAYPOOL. Yes; but one machine requiring but a few men to manufacture would do the work of a hundred men when set in operation on the farm. That works into the problem all the way along the line. All we hope to do in this direction, if you gentlemen find in your wisdom that a different resolution will answer the purpose, you have my entire consent, and I have no pride in the form of the resolution. If you find fewer committees can investigate to better advantage, I have not anything to say. I only wanted to add, in my additional resolution, for instance, a matter that has been discussed here quite a little in my presence, and that is the road proposition. I want to say, too, by way of preliminary, that I am a pretty fair economist, of necessity, and I do not want to spend a dollar of the Government's money without producing something worth one hundred cents on the dollar. Take, for illustration, if this Government would undertake to run a few trunk lines—one, two, or three, whatever may be necessary—of paved roads across this great continent of ours, I would want it to be worth one hundred cents on the dollar, and I believe it would be worth that. Not only that, but we should stimulate the States to run their laterals into those trunk lines and also the counties to do the same thing. It would be a foundation for all good road systems that we gentlemen have in mind here and would certainly be a valuable asset.

I only speak of that as one particular matter.

I want to call attention, too, while passing along rapidly the line that is suggested here, that I find it well founded that other countries are anticipating the same fear that a few of us have in mind. Canada, which has been mentioned, has arranged already to give each returning soldier 160 acres of land, and lend him \$2,500 in money to go and enter it and prepare for business. That might be a little extravagant, but those of us who have lived in the era following the War of the Rebellion remember that we had a great West then—Kansas, Nebraska—all that great fertile country that was ready for farming was opened to settlement, and they rushed out there. It was a relief to the whole situation. But we all know that that condition does not exist now. When you come to taking up swamp lands, when you come to getting water on millions of acres of arid land, the individual can not go and do it. It has to be done by great private companies that speculate or it has to be done by the Government—one way or the other. You can not expect the fellow who is thrown out of a factory or who is thrown out of the Army to go out there onto that arid land and get water on it. It can not be done. Those of us who have given that public-land matter a little attention know it can not be done that way. That land is either going to remain there unimproved or fall into the hands of great speculators, bringing about a situation that the Government has got to take some notice of and do something along the line we mentioned.

There is one other thought that struck me, and I am going to hurry along with it, and that is this: All the men thrown out of employment are not in the same lines of life. You talk about farmers, and a good many people think anybody can farm. There never was a greater mis-

take. The average young man accustomed to city life can not go out there on that arid land, and even if somebody got him water on it, he can not become a farmer. He is 25 years old, perhaps, and has been in the Army a while and spent all his life in some city or some factory. And so it goes all the way along the line. That is our notion for having several lines of endeavor considered. Farming is one proposition; the building of roads, which will require brick, cement, and other materials, opens up avenues of employment for men who would not be farmers, and so with matters coming under all the attention of almost every one of these different committees; as we all agree that this is to be a mere survey we ask that you give it attention.

All that I expected to do was to intensify the consideration. I agree with Mr. GARRETT—and we nearly agree—that these committees have much of the power needed, but might they not overlook it, unless attention was called to it, in the busy whirl of affairs here? So, we simply want to intensify that idea and call attention to it more than any other one thing in recting these matters and calling the committee's attention to the matter in these resolutions:

Mr. CLAYPOOL. And that is largely what prompts us in calling special attention to this, whatever you may conclude to do. With our shipping facilities and the great foreign demand and all that which goes with it will it not naturally keep up to the high point the food products for the next year or two or three years, perhaps? If there will be a superabundance of labor—you know everything is governed by supply and demand more or less—might it not reduce their wages below what would be an honest living even for the honest laborer? That is the only thing we want to call your attention to, and beyond that we have no interest.

Mr. CLAYPOOL. My friend here, Mr. Ramage, has given a good deal of time and thought to these matters, and I will be glad for you to hear him.

STATEMENT OF MR. MATHEW H. RAMAGE, 1343 CLIFTON STREET, WASHINGTON, D. C.

Mr. RAMAGE. The thing that appealed to me, gentlemen—
The CHAIRMAN. Will you please tell us what position you occupy?
Mr. RAMAGE. I am chairman of the executive committee of the Economic Liberty League, a body organized to help out this situation.
Mr. SNELL. When was it organized, and tell us something about it?
Mr. RAMAGE. It was organized in New York City about six weeks ago, and I was over there and they made me chairman of it.
Mr. SNELL. What does that mean; what does it stand for?
Mr. RAMAGE. Well, it stands for a better and fairer economic adjustment. The Economic Liberty League is an organization for the betterment of mankind. The following is the memorial recently presented to Congress which contains the declaration of principles and list of officers of the league:

THE ECONOMIC LIBERTY LEAGUE,
Washington, D. C., November 20, 1918.

To the honorable the Speaker and House of Representatives of the United States of America.

GENTLEMEN: We respectfully submit for your consideration and action during the present Congress the legislative proposals set forth in the inclosed resolutions. Being firmly persuaded that only by prompt action along these lines can the immemorial and beneficent principles of Jeffersonian democracy be perpetuated and expanded to enable the hundreds of millions of Americans of this and future generations to enjoy the full fruits of that economic liberty, the denial of which has been the main cause of human miseries in the modern world; and America's adoption of which now will save our people and help other nations to escape the disasters to civilization which have befallen many peoples in Europe.

Respectfully, yours,
ECONOMIC LIBERTY LEAGUE,
NATIONAL EXECUTIVE COMMITTEE,
MATHEW H. RAMAGE, Chairman.
WM. DELAHUNTY, Secretary.

PETITION AND MEMORIAL TO THE PRESIDENT AND CONGRESS OF THE UNITED STATES OF AMERICA.

Resolutions adopted at the meeting of the National Executive Committee of the Economic Liberty League, Washington, D. C.

Whereas the armies of freedom having won in the great war political liberty and independence for the peoples of Europe; in order to make permanent these and other liberties, it is now necessary for the people of the United States and other nations to achieve the last and greatest of the rights of man—economic liberty—without which all the other forms of freedom fail; and

Whereas as was wisely declared by the Revolutionary Convention of France in 1789:

"Ignorance, neglect, and contempt of human rights are the main sources of public misfortunes and corruptions of government"; and
Whereas in times of long-settled peace and public sympathy, and under the iron discipline and ruthless despotism of war times, human rights are often and easily trampled under foot and treated with "ignorance, neglect, and contempt," yet not so may human rights be safely treated in the mighty flux and change at the close of such a stupendous and bloody struggle as that through which the world has just passed; and
Whereas more urgent and important than any other issue facing the people of the United States to-day is the problem of the future employment and the economic liberty of the millions of men and women of the military and war material forces who are about to be released from their present occupations; not a day should be lost by our citizens and our National, State, and local government bodies in making ample preparation for this huge and complex emergency, which must be settled quickly and with justice, gentleness, and wisdom. The first duty falls on the Federal Congress, because under our Constitution all the issues of war and peace are the peculiar province of the National Government. And, of the coordinate branches of the Federal Government, to Congress falls more especially the duty of solving these greatest of the problems of peace, because in dealing with these vital matters the judiciary is impotent and the executive practically helpless without authority and direction from Congress.

The legislative branch of the Government must lay the foundation broad and deep, founded on the solid rock of economic liberty. Freedom of access for labor to the unused natural resources of the country and equal opportunities for all the people over the highways of the Nation are fundamental.

The maintenance of highways is one of the most important functions of the Government—one of the great essential attributes of sovereignty, of which no State can divest itself without endangering the very existence of free government. Therefore

Resolved, That we demand as the first step in the program of reconstruction, the establishment of permanent Government ownership and operation of the telegraph and telephone systems as a part of the Postal Service of the Nation. And we indorse and recommend the immediate enactment of the principles of the pending Cary bill, H. R. 6750, for the erection of a Federal department of transportation, as a first step toward the early establishment of Government ownership and operation of all railroads, pipe lines, and waterways.

We demand the adoption by the Government—Federal, State, and local—of a policy of Government provision for employment for returning soldiers and sailors and war industries workers who are now about to be released from their employment. And as a first step to that end, we urge the immediate enactment of the principles of the Loft and Fowler unemployment bills of 1915.

We also demand as a part of this provision the enactment of the principles of the Crosser bill as a feature of the pending Federal revenue legislation and of the permanent revenue policy of the Nation. And we insist upon the necessity of a rehearing before the House and Senate committees of the Congress on the pending revenue bill because of the important changes necessarily arising out of the termination of the war. We indicate the possibility of securing \$4,000,000,000 of public revenue from a site value tax on the unimproved land values of the country, which now flows into the pockets of private land monopoly; this amount can be raised without laying a single penny of added taxes on the industry or consumption of the Nation.

The adoption by the Government of the policies herein set forth will not only remove the menace of unemployment but by vastly increasing production will greatly reduce the present needless and enormous trust-created high cost of food, fuel, and other necessities of life; this, too, without making at all necessary those proposed increases of hours of work, and reductions of wages of labor, which may entail serious disturbance of the industrial and commercial conditions of the country. For no one can deny that economic liberty and justice are to-day vitally necessary additions to the policies of all Governments in order to insure permanent industrial as well as international peace for the war-weary peoples of the world.

Respectfully submitted.

ECONOMIC LIBERTY LEAGUE,
National Executive Committee.

Mr. CAMPBELL. Is it incorporated or voluntary?

Mr. RAMAGE. It is just a voluntary organization.

Mr. CAMPBELL. Who are the members?

Mr. RAMAGE. Edward J. Bowen, 320 Fifth Avenue, New York, is treasurer, and Mr. William Delahunty is the secretary. Capt. Charles Campbell, water transportation expert, is the vice chairman.

Mr. CAMPBELL. Do they maintain an office?

Mr. RAMAGE. Yes; there is an office in New York, at 320 Fifth Avenue, and also here, at 810 F Street, Washington, D. C.

Mr. CAMPBELL. How is it sustained—what supports it?

Mr. RAMAGE. It is supported just by voluntary contributions among ourselves.

The CHAIRMAN. You are a resident of this city?

Mr. RAMAGE. I live here in the wintertime; I live down in Maryland in the summer and am a farmer down there on the Potomac River.

The CHAIRMAN. All right, we will be glad to hear anything you desire to say.

Mr. RAMAGE. The thing that appealed to me about this reconstruction, to state it in as concrete a manner as possible. This great number of laborers in the war-munitions plants and also the soldiers in uniform are being released at a time when I do not think there is the least possibility of a very material lowering of the cost of living—the cost of living is higher probably than it has ever been at any time in the history of America—and it was in view of the tremendous amount of materials that they seem to have to send to Europe we are going to be down to a point where, if we get enough to eat, we will have to pay a big price for it here right along, and I understand that even wages now in a great many parts of this country are not quite commensurate with the cost of living. I understand that the cost of living has gone up 65 per cent and the wages only 50 per cent in the United States. That being the case, living is above normal.

Mr. CAMPBELL. I think you are right. I do not think anybody could live on the standard of living upon which they lived four years ago to-day, even if there were a 65 per cent increase in wages.

Mr. RAMAGE. That is what we fear. We fear some great turmoils might take place in the country, big strikes would start up, and we might have a worse condition than we ever dreamed of having unless something substantial is done. I do not believe that the United States Government needs to spend one dollar that is not for permanent improvements; that is to say, that the people will not get the full return for. I believe good roads, for instance, will pay for themselves in a few years. There is a great lack of good roads where I live. I live 45 miles from Washington. It takes me a half a day to get there on the boat and it takes me another half of a day to get back. If I use a team, I have got to go to La Plata on the train and take a team 22 miles, and the roads are most deplorable. I am not advocating anything for that part of the country particularly, but those are the conditions there, and good roads are needed everywhere.

STATEMENT OF MR. WESTERN STARR, BALTIMORE, MD.

Mr. WESTERN STARR. Mr. Chairman, they have asked me to say a few words here. My name is Western Starr.

The CHAIRMAN. State your occupation, and so on.

Mr. WESTERN STARR. My residence is in Baltimore. I am a farmer. I do not know that I ought to say, living in Baltimore, that I am a farmer, but I have been a farmer for a great many years, and I am now, between seasons, waiting for the next season's work to begin.

My relationship to this organization is that of a consulting friend. I never heard of it until 10 days ago.

Mr. SNELL. You mean the organization this other gentleman represented?

Mr. WESTERN STARR. Yes, sir; it was only newly organized, and its object, as it was presented to me, appealed to my sympathies, and I have consented to look into the subject a little and to bring before you some observations in connection with it.

Of course, anything I have to say will be fragmentary, following the words that have been said before, and the first thing I want to do is to reply to the suggestion involved or suggested by the question of the gen-

tieman in the easy chair [Mr. GARRETT] with reference to what further authority is needed by the committees that have been mentioned in these resolutions. I think that there has been practically no lack of interest, but there is a mandate needed. These men have power to do what is necessary, but until Congress, which is theoretically a sovereign power of this Government, takes it up and says that it is necessary that something should be done, the committees are very apt, being burdened, as they are, with other things, to let matters take their natural course.

The CHAIRMAN. We will have to ask you to conclude as quickly as you can.

Mr. WESTERN STARR. I will ask you to tell me how many minutes you can give me.

The CHAIRMAN. We have to go into executive session here in a few minutes. We will hear you for five minutes, when we will have to conclude the hearing for to-day.

Mr. WESTERN STARR. Nature, left alone, will in most cases rectify all the blunders that occur. But it is the art of the position to assist nature, and if we are to allow this situation to take care of itself, undoubtedly it will work itself out in time, but by application of the wisdom of developed observation we will probably be able to assist nature in the solution of this great question, and without the distress that nature alone will involve.

I apprehend that we are touching very close to important fundamentals on this question. Being limited for time, I must be brief in what I have to say. In perfectly normal times there is 2 to 5 per cent involuntary unemployment in this country at all times. It is not always located in the same communities, but there is a total of 3 to 5 per cent involuntary idleness in this country. We now have involved in war enterprises either in uniform or out, not less than 17,000,000 or 18,000,000 of individuals. War industries are being stopped. I was talking with three gentlemen from Pittsburgh this morning. They told me, in answer to the direct question, "We are simply waiting. We are laying off men. We will not take on new men and we can not undertake new enterprises, because we do not know what may happen, and we are not able to go ahead without knowing what we are going to do. We can do nothing until the treaty is absolutely signed except to prepare." And they are living from hand to mouth, and that is so all over the country.

My judgment is that the regulator of wages as to the levels and the volume of employment is always the degree of accessibility to natural opportunities of this country, under a condition that has existed for 50 years, to be practically absorbed. They are not utilized and they are not developed, but they are absorbed and have passed out of Government control into the hands of private individuals or corporations. There is a way of reaching that.

I believe on the question of post roads the one big thing is the annual migration that comes twice every year, in the spring and fall, from the rural districts into the city and from the city into the rural districts, growing out of the fallibility of seasonal occupations. But there is enough to employ all the involuntary idleness by Government work in the form of post roads and highways alone. I offer that merely as a suggestion. That ought not to be done entirely by the Government; the States themselves should take part in it; and I believe a system could be developed under which, following the lines suggested in a recent bill that the Government will provide a certain fund provided the localities furnished a stated fund to keep those men at work with the improvements that should be going on, and the inducements should be sufficient in the form of wages to stimulate the work and keep it going.

When we dislocate 50 per cent of the available producing power of the country—and you are perfectly well aware that the census reports show, fallible as they may be, only 30 to 35 per cent of the people were employed in gainful occupations in this country in normal times, and over half were employed in war industries—and to turn them loose and let them go at their own sweet will, what will happen? We have no inducements to offer in the way of idle, vacant land which the Government owns. We should put them on the land, but not give them title except for use and occupation. That is what we should have done heretofore, but we did not do it. We gave them the land outright, and now it has passed into the hands of speculators.

Mr. CAMPBELL. What land do you mean?

Mr. WESTERN STARR. I mean the great lands of the West—Nebraska, Kansas, Iowa; take those railroad land grants and where is the land?

Mr. CAMPBELL. It is owned by individuals very largely.

Mr. WESTERN STARR. The land grant?

Mr. CAMPBELL. Yes.

Mr. WESTERN STARR. That may be true in certain sections.

Mr. CAMPBELL. It is true all along the line of the Union Pacific.

Mr. WESTERN STARR. Take, then, the Northern Pacific.

Mr. CAMPBELL. I do not know anything about that.

Mr. WESTERN STARR. It is not true along the Northern Pacific.

Mr. CAMPBELL. I know that in Kansas that land is owned by individuals, men on small farms.

Mr. WESTERN STARR. It is not the farmers who are buying farms; it is the banker and the lawyer who are buying farms. The farmers of this country have never made any money agriculturally; they have never made any money by farming. I am talking now of the mass of profits which have been the profits of the land speculators.

Mr. SNELL. Where do you get that sort of information?

Mr. WESTERN STARR. From your own census report. You go to Illinois, Iowa, and Nebraska, and those States, and you will find at the crossroads retired farmers who have rented or sold their farms and who are living in the little towns there and have been there during the last three or four years of their lives.

Mr. FOSTER. You realize that one great drawback—and I do—is that it is the man who lives on the farm and does not own it.

Mr. WESTERN STARR. The tenant farmer is the curse of the country.

Mr. FOSTER. The man who sits in the town and lives off of the farmer out in the country.

Mr. SNELL. That is so in every part of the country. However, the lawyers and bankers buying farms I never heard of before.

Mr. WESTERN STARR. You will find it so. That is literally so, and I can produce testimony in this room of high authority. I would enjoy your questions and am sorry that we have not more time.

POSTAL EMPLOYEES.

And so, gentlemen of the House, you see this most important problem was gone into some time back but nothing was done, and in this connection let me say that the Postal Service is near to my heart. I have a brother, Joel Lundeen, who has served the Government for years in the Railway Mail Service. I have

stood by these boys right along in Congress and out of Congress.

The United States Government is a big employer of labor and should by all means set an example by giving employment to our men. The Post Office Department during the war has curtailed all branches of the service to conserve man power by reducing the force of letter carriers, clerks, and railway mail clerks, by cutting out one delivery a day or more, and by taking service off a large number of railroad trains.

During the last year the department has opened the doors to women as carriers and as railway mail clerks, and, although that may have been the proper step during the war to conserve man power, I believe now that the war is over that the department should only employ men in those branches. This would give employment to many returned soldiers. Women are not physically able to perform this class of labor. The department is to hold an examination for railway mail clerks March 15, 1919, for both men and women between the ages 18 to 35. The employment of women in the carrier or Railway Mail Service was unheard of until a year or so ago. To show the curtailment in the Railway Mail Service from July 1, 1916, to December 31, 1917, taken from official schedules issued by the department, the Merchants' Association of New York spent six months' time collecting data to find the cause for the poor service, and they give the following figures, which pertain to the tenth division, which includes Minnesota, Wisconsin, North Dakota, South Dakota, and northern part of Michigan: Eighty-nine railway post-office trains wholly discontinued, 107 railway post-office trains discontinued in part, which makes 196 railway post-office trains discontinued wholly or in part. That makes 12,983 miles of Railway Post Office Service discontinued, which makes 4,271,084 annual miles of Railway Post Office Service discontinued during that time. Only 24 railway post-office trains have been established, wholly or in part, which makes 1,658 miles, or 538,527 annual miles. So the net service discontinued for the period is 172 trains, with 11,325 miles; all told, 3,723,557 annual miles, which, summarized, means that July 1, 1916, there were 548 trains in operation, of which 172 trains were discontinued, or 31.39 per cent.

It has been estimated that it would take 400 men in this one division to restore the service to where it was July 1, 1916; and that is only 1 division out of 15 which cover the whole United States. For the whole United States there was July 1, 1916, 6,636 railway post-office trains, of which 1,612 railway post-office trains were discontinued wholly or in part, which means that 25.32 per cent of railway post-office trains have been discontinued from July 1, 1916, to December 31, 1917, which when put in miles means that on July 1, 1916, there were 217,462 miles of railway post-office train service, of which 96,178 miles have been discontinued, or 44.23 per cent.

The merchants' association summarizes their report, in part, by saying:

1. That mails are not dispatched with former frequency;
2. That they are not fully worked in transit;
3. That in consequence much "stuck" letter mail is turned into the terminal station, and then materially delayed;
4. That inferior mails move with extreme slowness;
5. That train delays are not a principal cause of slowness in the mails; but that
6. Insufficiency in the number of railway postal cars, their withdrawal from a great number of routes throughout the United States, and the reduction of the crews of railway postal cars appear to be the main causes of the conditions shown.

The Government has no men in its service more intelligent, more faithful, and efficient than the postal employees. Why curtail them? Why treat them unjustly? Not only should their pay be ample, but at the end of the road, when life's sun is setting, they should of a right have a retirement pension, and, gentlemen, I stand ready to vote for the Keating-McKellar bill or any other bill along this line.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LUNDEEN. As far back as the first part of December, 1918, the legislation proposed in my resolution of November 21 was considered of sufficient importance to force the great Rules Committee of the House to take up the question. Hearings were held for two days. Members of Congress, economists, business men, and the Secretary of Labor appeared before the committee in support of the proposition; and at the hearings every member of the committee but one emphatically expressed his approval

of the resolution. In spite of all this, however, no report was made by the committee, and no action was taken by either the committee or the House. What mysterious power prevented action remains a secret.

The unprecedented meeting of the governors of all the States and the mayors of 100 leading cities of the United States called by the President to meet at the White House March 4 is evidence that the extreme and urgent importance of the unemployment problem is at last recognized. But how much better for the unemployed people of the United States would it have been if President Wilson had called this conference of governors and mayors and urged action by Congress last November, when I presented my resolution.

Brazen contempt and heartless neglect of human rights are essentially responsible for the building up of the great fortunes, whose growth is such a marked feature of our development. From the same cause spring poverty and pauperism. "The tramp is the complement of the millionaire." Unemployment is more menacing to the Republic than hostile armies and fleets bent on destruction.

The Independent Labor Party, representing all the labor organizations of Chicago, adopted the following platform the latter part of December, and therein strongly indorses the principle of my unemployment resolution:

THE INDEPENDENT LABOR PARTY PLATFORM.
RIGHT TO ORGANIZE.

1. The unqualified right of workers to organize and to deal collectively with employers through such representatives of their unions as they choose.

DEMOCRATIC CONTROL OF INDUSTRY.

2. Democratic control of industry and commerce for the general good by those who work with hand and brain and the elimination of autocratic domination of the forces of production and distribution, either by selfish private interests or bureaucratic agents of government.

EIGHT-HOUR DAY AND MINIMUM WAGE.

3. An 8-hour day and a 44-hour week in all branches of industry, with minimum rates of pay which, without the labor of mothers and children, will maintain the worker and his family in health and comfort and provide a competence for old age, with ample provision for recreation and good citizenship.

ABOLITION OF UNEMPLOYMENT.

4. Abolition of unemployment by the creation of opportunity for steady work at standard wages through the stabilization of industry and the establishment, during periods of depression, of Government work on housing, road building, reforestation, reclamation of desert and swamp, and the development of ports and waterways.

EQUAL RIGHTS FOR MEN AND WOMEN.

5. Complete equality of men and women in government and industry, with the fullest enfranchisement of women, and equal pay for men and women doing similar work.

STOP PROFITEERING.

6. Reduction of the cost of living to a just level immediately and as a permanent policy by the development of cooperation and the elimination of wasteful methods, parasitical middlemen, and all profiteering in the creation and distribution of the products of industry and agriculture in order that the actual producers may enjoy the fruits of their toil.

ABOLISH KAISERISM IN EDUCATION.

7. Democratization of education in public schools and universities through the participation of labor and the organized teachers in the determination of methods, policies, and programs in this fundamental field.

EXTENSION OF SOLDIERS AND SAILORS' INSURANCE TO ALL WORKERS.

8. Continuation after the war of soldiers and sailors' insurance; extension of such life insurance by the Government without profit to all men and women; and the establishment of governmental insurance against accident and illness and upon all insurable forms of property.

TAX INHERITANCE, INCOMES, AND LAND VALUES TO PAY WAR DEBT AND GOVERNMENT EXPENSES.

9. Liquidation of the national debt by the application of all inheritances above a hundred thousand dollars, supplemented as may be necessary by a direct capital tax upon all persons and corporations where riches have been gained by war or other profiteering, and payment of the current expenses of Government by graduated income taxes, public profits from nationally owned utilities and resources, and from a system of taxation of land values which will stimulate rather than retard production.

PUBLIC OWNERSHIP OF PUBLIC UTILITIES—NATIONALIZATION AND DEVELOPMENT OF NATURAL RESOURCES TO FURNISH EMPLOYMENT FOR RETURNING SOLDIERS AND SAILORS AND DISLOCATED WAR WORKERS.

10. Public ownership and operation of railways, steamships, stockyards, grain elevators, terminal markets, telegraphs, telephones, and all other public utilities, and the nationalization and development of basic natural resources, water power, and unused land, with the repatriation of large holdings, to the end that returning soldiers and sailors and dislocated war workers may find an opportunity for an independent livelihood.

RESTORATION OF FREE SPEECH, FREE PRESS, AND FREE ASSEMBLAGE.

11. Complete restoration, at the earliest possible moment, of all fundamental political rights—free speech, free press, and free assemblage; the removal of all war-time restraints upon the interchange of ideas and the movement of people among communities and nations; and the liberation of all persons held in prison or indicted under charges due to their championship of the rights of labor or their patriotic insistence upon the rights guaranteed to them by the Constitution.

LABOR REPRESENTATION IN ALL DEPARTMENTS OF GOVERNMENT AND ALL GOVERNMENTAL AGENCIES OF DEMOBILIZATION AND RECONSTRUCTION.

12. Representation of labor in proportion to its voting strength in all departments of Government and upon all governmental commissions and agencies of demobilization and reconstruction, and recognition of the principles of trade-unionism in the relocation of soldiers, sailors, and war workers in peace pursuits, with adequate provision for the support and extension of the Department of Labor as the principal agency therefor.

LABOR REPRESENTATION IN PEACE CONFERENCE.

13. Representation of the workers, in proportion to their numbers in the armies, navies, and workshops of the world, at the peace conference and upon whatever international tribunals may result therefrom, with the labor of this Nation represented by the president of the American Federation of Labor and such other delegates as the workers may democratically designate.

AN END TO KINGS AND WARS.

14. Supplementing the league of nations, and to make that instrument of international democracy vitally effective for humanity, a league of the workers of all nations pledged and organized to enforce the destruction of autocracy, militarism, and economic imperialism throughout the world, and to bring about world-wide disarmament and open diplomacy, to the end that there shall be no more kings and no more wars.

The Christian Science Monitor says labor is out for a complete reconsideration and readjustment of its position. This position was defined as clearly as possible in the statement made, quite recently, in the House of Commons by the general secretary of the National Union of Railwaymen. Mr. Thomas left, indeed, little to the imagination:

The organized workers of Great Britain have made up their minds to obtain for themselves an increasing share of the wealth which their labor has produced and produces. The workers of the threefold organization are determined to shorten materially the hours of labor in their respective industries. They are dissatisfied with the system of society which treats their labor power as a mere commodity to be bought, sold, and used as though they were machine-like units in the process of wealth production and distribution, and they therefore demand that they shall become real partners in industry, jointly sharing in determining the working conditions and management.

LABOR'S LAST WORD.

There you have the last word of labor in every civilized country in the world. And labor follows its demand with the question, "What are you going to do about it?" On the statesmanlike quality of the reply, not only of capital but of governments, to that question may depend the future peace of the world. It is the second stage of Armageddon.

Mr. BYRNES of South Carolina. Mr. Chairman, may I be permitted to call the attention of the Chair to the organic act which has been referred to by the gentleman from Massachusetts [Mr. GALLIVAN] and the gentleman from Colorado [Mr. KEATING]?

When this service was established by the appropriation in the sundry civil bill last year it was manifestly subject to a point of order. The opinion of the committee then was that it was so subject. The United States Employment Bureau was established as a war emergency bureau. Now, the gentlemen who seek to have it continued urge that it can be continued by a change of language, because the first section of the organic act contains the declaration of purpose to the effect that the purpose of the Department of Labor shall be to improve the working conditions and advance their opportunities for profitable employment. Mr. Chairman, that is nothing more than a declaration of the purpose of the department.

If that is sufficient legislation to authorize the establishment of a new bureau, then you may as well abolish the Committee on Labor, for it has no further function to perform. The gentleman from Colorado, who argues on the point of order, I know is not in earnest, for before his own committee—the Committee on Labor—is a bill introduced by himself to establish an employment bureau, define its duties, and prescribe its limitations.

Mr. KEATING. Mr. Chairman, will the gentleman yield, just for a moment?

Mr. BYRNES of South Carolina. I will.

Mr. KEATING. I call the attention of the gentleman and the attention of the Chair to this very important point, that this amendment that I have offered here does not establish an employment bureau in the Department of Labor. It gives the Secretary of Labor a lump-sum appropriation to carry out one of the objects set forth in the organic law, which is an entirely different proposition from the establishment of a labor bureau.

Mr. BYRNES of South Carolina. The Chair has heard that and is familiar with it. Under that first section it is sought to be held that the amendment is in order. If that be true, why was it necessary to secure legislation for the establishment of a Children's Bureau? If that be true, why was it necessary to secure legislation to establish a Bureau of Labor Statistics; and why was it necessary to secure legislation for the establishment of a Bureau of Immigration, or why would it be necessary hereafter to secure legislation to establish any bureau under the

Government? The organic act of the Department of Commerce contains a declaration of purpose similar to that which is contained in this organic act establishing the Department of Labor. Is it contended that because that declaration is contained in the organic act of the Department of Commerce the sum of \$10,000,000, or any other sum, can be appropriated for the mere carrying out of the declaration of purpose?

The act goes on in subsequent sections to prescribe duties and to provide the duties of the various bureaus under the Department of Labor; and I want to call the attention of the Chair to the eighth section of the organic act. There it provides that the Secretary of Labor shall have the power to act as mediator and appoint commissioners of conciliation in labor disputes whenever, in his judgment, the interests of industrial peace may require it to be done. It goes on and requires the Secretary of Labor to report back to Congress the result of his investigations, in order that legislation may be had to accomplish the purposes set forth in the organic act.

Again, in section 10, it is provided:

That the Secretary of Labor shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Labor with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of such Department of Labor.

Now, if under the declaration of purpose they have the power to appropriate money to carry on anything they want to do in order to accomplish the purpose, why require the Secretary of Labor to report back to Congress for further legislation to define the duties and the powers of the Department of Labor? Manifestly it would be useless. It is nothing more than a declaration of purpose similar to that contained in the organic act of every department, and if under that the Chair could hold that this should be done, then there is no excuse for the existence of legislative committees in this House or in any other. [Applause.]

Mr. GALLIVAN. Mr. Chairman, I can not allow the gentleman from South Carolina [Mr. BYRNES] to leave the impression on the minds of the Members of the House that this is an attempt to create a new bureau in the Department of Labor. I have read the language of the organic act, and I want to call the attention of the Chair to the fact that as far back as 1915 the Secretary of Labor, basing his action upon the authority granted in the organic act creating the Department of Labor, in a report pointed out that the Department had established, through its division of information, Federal labor exchange branches, with a public employment branch station in 18 employment zones throughout the country. The work of these labor exchanges was fully explained in that report, and the results were tabulated.

And again, in his report in 1916, the Secretary of Labor reported that "The United States Employment Service, now an established agency of this department, is engaged in promoting a beneficial distribution of wage-earning labor throughout the United States by advancing opportunities for profitable employment."

Mr. BYRNES of South Carolina. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. BYRNES of South Carolina. Which department or bureau was it—the Bureau of Immigration and Naturalization—under which that was specifically authorized in order to secure employment for aliens?

Mr. GALLIVAN. I do not think it was specifically authorized under the Bureau of Immigration.

Mr. BYRNES of South Carolina. It was.

Mr. GALLIVAN. It was under the Department of Labor. It may have been in connection with the Immigration Service, but I can say to the gentleman that I can recall an employment service in the Department of Labor in my own city before I came to Congress. That is nothing new. This is no attempt to establish a new branch.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. LOBECK. In my own city the Department of Immigration has been entirely separated, and has been from the very beginning, from the Employment Service.

Mr. GALLAGHER. That is only a branch of the Department of Labor.

Mr. LOBECK. The gentleman was speaking of their being together. They are entirely separate.

Mr. MONDELL. Mr. Chairman, as a member of the Committee on Appropriations my natural inclination is to enlarge the jurisdiction of that committee. It would have simplified the task of the committee tremendously in the preparation of

this bill if we had taken the easy and elastic view of our authority and jurisdiction that is now urged upon us by the gentleman from Colorado [Mr. KEATING] and the gentleman from Massachusetts [Mr. GALLIVAN]. But we did not take the view that an appropriating committee could run amuck and appropriate as it saw fit, simply because a service had been undertaken and carried for a short period of time.

I shall not be particularly disturbed, however the Chairman rules. If he rules that we have jurisdiction, it will make the duties of the committee easier. But in my opinion it is rather important, from the standpoint of the legislating committees of this House, that there be left some little jurisdiction for those committees.

Now it is urged in support of this amendment that it is drafted in the language of the organic law of the Bureau of Labor. That is true. But when before has it been claimed that an appropriating committee could appropriate by simply quoting the general declaration of purpose of an act creating a department of the Government?

Mr. HARRISON of Mississippi. Will the gentleman yield one moment?

Mr. MONDELL. Yes.

Mr. HARRISON of Mississippi. On page 160 of this bill, which I presume the gentleman voted to report, in line 13 it says:

For the Department of Labor, \$150,000.

If that is not subject to the point of order, certainly this other provision would not be subject to the point of order.

Mr. MONDELL. That is the regular, ordinary appropriation for the printing for the Department of Labor, provided for by law.

Now, what is the fact with regard to the Department of Labor? It has an all-embracing declaration of beneficial and useful purpose; and, following that very broad and general declaration, the law sets up certain bureaus and agencies within the department and allots to them their duties and responsibilities. If an appropriating committee of the House, by simply quoting the language of an organic act, could appropriate, there would no longer be any necessity for the Committee on Labor or half a dozen other committees in the House whose duties it is to establish new bureaus and to provide new activities. My friend from Colorado did me the honor of quoting from an argument I made in support of an appropriation under the Children's Bureau. But my friend, while he does not claim to be a parliamentarian, is a sufficiently good parliamentarian to understand the very marked and clear and distinct difference between that situation and this. In that case a bureau was established with certain definite functions and responsibilities.

In this case a department is established, in the establishment of which there is a broad and sweeping declaration of general purpose. Of course, in the case of that bureau, any one of the activities delegated to that bureau could be provided for by an item of appropriation. But to say that because a department is established to do certain things therefore you may legislate all over the general field that may be included within that declaration, is to give the appropriating committees all of the jurisdiction which we have heretofore supposed rested with the legislative committees.

Mr. Chairman, certain somewhat questionable decisions connected with items on the Agricultural bill have been quoted. There have been more conflicting decisions on the Agricultural bill and in connection with the items of that bill than in connection with any other appropriation bill in the House. It is true that in some cases the decisions have been rather broad, but in none have they been as broad as is now proposed. I imagine that chairmen, in passing on those cases, may have been influenced by the fact—should not have been, but may have been influenced by the fact—that the Agricultural Committee is both an appropriating and a legislative committee, which has authority to legislate and authority to appropriate, and the only question on the appropriation bill is not, Is this new legislation and therefore outside of the jurisdiction of this committee? but it is, Is this new legislation on a general appropriation bill? And while the fact that that committee both appropriates and legislates should not sway the judgment of the presiding officers, there is no doubt that it has swayed their judgment in some cases. But even in those cases no decision has been as far-reaching as a decision in favor of this particular amendment would be. If this sort of an appropriation is in order on a bill reported by the Committee on Appropriations, then we may very well dispense with the services of half a dozen legislating committees of the House and leave the matter of establishing bureaus and departments and agencies and activities to the subcommittees of the Appropriations Committee.

Mr. SHERLEY. Mr. Chairman, I shall not undertake to take the time of the House by speaking to the merits of the proposal. My view touching the merits that underlie the amendment has been indicated somewhat by the appropriations carried for the Department of Labor in the deficiency bill, which made provision to continue this employment agency until July 1, and before then I hope for affirmative legislation. But the question which is at issue here—and it is an exceedingly important question, very much more important than even the \$10,000,000 that is involved in the amendment—is this: How far a general statement of the purposes for which a bureau or department is established confers upon an appropriating committee without legislative power the right to appropriate any amount of money in the general terms "for the purpose of promoting," and so forth.

I think all of us are apt at times to overlook the importance of the real observance of the rules of the House. If gentlemen who have spoken in favor of the amendment are correct, the Committee on Appropriations absorbs, by virtue of this decision, practically all of the powers of the various legislative committees. And it will have the right simply to take almost any act relative to the creation of any activity of the Government and turn to that part of the language which lawyers might say was in the nature of inducement, but is not really and strictly a power, and on that rest the case. Gentlemen have not undertaken to define the duties—to read the law which defines the duties—of the Department of Labor; but they say, inasmuch as the language says this shall be the purpose of the Department of Labor to do so-and-so, therefore, by starting out with the same generic language in an amendment, it is in order.

The history of the Department of Labor is that it was carved out of the old Department of Commerce and Labor. When this department was separated various bureaus were put into the Department of Labor and various bureaus put into what is now the Department of Commerce.

In order that the whole subject of what might hereafter be given to the Department of Labor should not be foreclosed, there is enumerated first the various bureaus and then it is made the specific duty of the Secretary of Labor to investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Labor with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of such Department of Labor.

As was suggested by the gentleman from South Carolina [Mr. BYRNES], if the opening part of the act conferred upon the Secretary of Labor the right to do anything whatever that in his judgment would promote and develop the welfare of the wage earners of the United States, to improve their working conditions, and so forth, what folly it is to make one of his specific duties the reporting to Congress what additional legislation might be necessary in order to enlarge his powers. His powers already covering all of creation, so far as they are related to wage earners, it was absolutely unnecessary and foolish to undertake further to define them. I repeat, because it is of tremendous importance to this House and to orderly procedure, if you can take a matter of inducement in connection with these various bureaus and simply by putting the amendment in that general language make it in order, then I say to you it is possible to write as in order anything appropriating any sum of money for any purpose under the sun, and I will guarantee to write an amendment that will be proof against any point of order, if the gentleman's contention is correct.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. PHELAN. It does not necessarily follow that because you direct the Secretary of Labor to advise Congress as to what things should be done he can not do other things, if he has the money, because it might be the duty of Congress, although giving him the power to do certain things, to require him to report back so that Congress might know what to give him money for and why to give it to him.

Mr. SHERLEY. But the language is "legislation to further define the duties and powers of such Department of Labor." The language that the gentleman speaks of does not say that it is the duty to do various things or to have various bureaus, but the general purpose of the Department of Labor, and I submit that if that language is sufficient to tie an appropriation of this kind to, we can simply take the organic act creating any department of the Government and appropriate any lump sum we wish, and leave it to that department under such general language to do with as it pleases.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. LONDON. Would it have been in order to offer an amendment specifying the particular objects for which this money should be appropriated, provided it came within the general purpose for which the department was created?

Mr. SHERLEY. I think not. The distinction has to be drawn between the general purpose and the prescribed duty. Congress creates a department for a general purpose, and it creates all departments for the general purpose of improving the welfare of the citizens of America; but when it comes to defining the particular activities of the departments, it does not rest upon the general ground of promoting the welfare, but it defines certain functions as duties, and I insist that this, therefore, is not in order. Let us see where it would lead. There have been any number of bills introduced in Congress, and they went to the Committee on Labor. That committee had the right, as it had the duty, in my judgment, to recommend legislation dealing with what I think is a serious situation. It has not seen fit to do so, and therefore an effort is made to make of the Committee on Appropriations a medium for carrying through an undigested program, appropriating a lump sum under the general authority of the preamble of the act. I do not believe it is in order so to do.

Mr. KEATING. Mr. Chairman, I want to call the Chair's attention to this significant fact: The gentlemen who are urging this point of order are among the great parliamentarians of the House. They have not cited for the information of the Chair a single decision sustaining their contention, not one decision. In all the history of the House, whenever this point was raised, the Chair has ruled that lump-sum appropriations to carry out the objects of the provisions of the organic law was in order, and these gentlemen, with all their knowledge of the precedents, failed to cite a single decision.

Mr. SHERLEY. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Yes.

Mr. SHERLEY. I have never before heard anybody contend that general language of inducement could be the basis of such an appropriation.

Mr. KEATING. Mr. Chairman, I submit to the Chair that all of the authorities on that subject cited by the various gentlemen who have discussed it have taken that position.

Mr. NOLAN. Mr. Chairman, will the gentleman yield?

Mr. KEATING. Certainly.

Mr. NOLAN. Is the gentleman aware of the fact that prior to the declaration of war for two years the Division of Information spent a great deal of money in providing employment to men on the farms and in industries in this country?

Mr. KEATING. I am familiar with that, and yet, anticipating what the gentleman from South Carolina would say, I do not hold that this is in order because of that action.

It is true in the law creating the Bureau of Immigration the Bureau of Information is created, and one of the objects of that bureau is to furnish employment for aliens, and in this great emergency the Secretary of Labor so construed it that some employment was offered to those who were not able to secure employment—at least that is the report.

We base our case squarely on the organic law creating the Department of Labor, and we maintain that all precedents sustain us.

The chairman of the Committee on Appropriations says that if we overrule this point of order the Committee on Appropriations can then absorb the jurisdiction of all the committees of the House. There are several things to prevent that. One is the good sense of the Members of this House. The membership of the House will not permit it to do that; but, in addition to that, Mr. Chairman, Congress will never legislate the entire contents of the Treasury in lump-sum appropriations.

I admit that this is a poor way to provide for an employment bureau. I think that we should have enacted legislation creating an employment bureau in the Department of Labor, but the fact is that we have not. It makes no difference where the responsibility rests. It has not been created, and therefore Members of the House are justified in taking advantage of this extraordinary remedy, a perfectly legal remedy, not one to be used every day, but to be used upon such an occasion as this, when a real crisis confronts the Nation. Congress has been derelict in its duty in enacting legislation, and you must go back to the organic law creating the bureau or the department and find there, if you can, a clear authority for the thing you are attempting to do, and then, instead of attempting to create a bureau with all its employees, give a lump-sum appropriation to the chief of the bureau or the secretary of the department and trust to his honesty and to his wisdom in administering it. This is the proposition we submit, Mr. Chairman.

Mr. BYRNES of South Carolina. Mr. Chairman, just one minute. I only desire to call the attention of the Chair with reference to the statement urged that prior to the establishment of the employment service in the last sundry civil act an employment bureau existed, that it existed by reason of specific legislation authorizing the establishment of a division of information and prescribing the duties of such division, that it should promote the beneficial distribution of aliens admitted into the United States. Now, in reference to the statement of the gentleman from Colorado that no precedent has been cited, whereas they have offered precedents, I desire to say that the precedent cited by the gentleman from Missouri related to a ruling upon a point of order which held that the establishment of a bureau was not in order, but an appropriation for an investigation was in order under the act of May 25, 1900, enlarging the powers of the Department of Agriculture; that an appropriation for an investigation was in order because there was specific legislation contained; that the Secretary of Agriculture may, from time to time, collect and publish useful information as propagation, uses, and preservation of such birds and other authorizations, directing the Department of Agriculture to make such investigation. Now, as to the statement made by the gentleman from Mississippi that this bill, on page 160, carries a general appropriation for the Department of Labor, that appropriation, as the gentleman from Mississippi ought to have known, is only for printing and binding, and is made under the subhead, "For printing and binding," and he ought to have known that if he did not. [Cries of "Rule!"]

The CHAIRMAN. The Chair is ready to rule. The gentleman from Massachusetts offers an amendment to insert a new section, as follows:

To enable the Secretary of Labor to advance the opportunities for profitable employment of the wage earners of the United States there is hereby appropriated out of available moneys in the Treasury \$10,023,000—

And so forth.

To that amendment the gentleman from Texas [Mr. BLANTON] and the gentleman from New York [Mr. GOULD] make the point of order. Arguing the point of order, the gentleman from Massachusetts and other gentlemen who have discussed it cited certain language in the organic act which create the Department of Labor. That language is:

The duties of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment.

That language is relied upon, as the Chair understands, to make this amendment in order. The House has always been extremely careful in conferring the legislative power upon committees; at least it has been so for 50 years. It has withheld from the Committee on Appropriations any power of legislation, and, naturally, having withheld that power, it has provided that no amendment to an appropriation bill if it carried legislation should be in order if offered on the floor of the House. This is very peculiar language as contained in this organic act. If the Committee on Appropriations could have rightfully brought in a proposition such as contained in the amendment of the gentleman from Massachusetts, and, of course, if it could not have, why an amendment from the floor of the House would be subject to the point of order. The Chair is unable to see where the limit on the Committee on Appropriations would end. If this—well, something like the whereas of a resolution—should be held to authorize appropriations by the Committee on Appropriations, why there is absolutely no limitation that you could put upon your Committee on Appropriations.

And, of course, if the Appropriations Committee could bring in a proposition any amendment from the floor would be in order. The Chair thinks this amendment that is offered by the gentleman from Massachusetts makes new legislation, not authorized by any existing law, and that therefore it is obnoxious to the rule of the House. Therefore, the Chair sustains the point of order.

Mr. GALLIVAN. Mr. Chairman, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the decision of the committee? The gentleman from New York [Mr. DONOVAN] will take the chair.

The CHAIRMAN (Mr. DONOVAN). The question is, Shall the decision of the Chair stand as the decision of the committee?

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. KEATING. Division, Mr. Chairman.

The committee divided; and there were—ayes 114, noes 58.

So the decision of the Chair stood as the decision of the committee.

The CHAIRMAN. The Clerk will read.

Mr. LONDON. Mr. Chairman, I rise to offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

Mr. LONDON. As a section for the purpose of continuing the present system of unemployment exchanges, the sum of \$10,000,000.

Mr. BLANTON. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The Clerk will report the amendment.

Mr. BYRNES of South Carolina. Mr. Chairman, I make a point of order on that.

Mr. BLANTON. I make a point of order. It is new legislation.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LONDON: Page 152, after line 20, insert, as a new section, the following:

"For the purpose of continuing the present system of unemployment exchanges, \$10,000,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation.

The CHAIRMAN (Mr. GARRETT of Tennessee). The gentleman from Texas makes the point of order.

Mr. LONDON. Mr. Chairman, before the Chair rules on the point of order I desire to draw the following distinction between the previous motion and this amendment. The principal objection which was raised to the amendment previously offered was that it repeated the language of the organic law, which was too indefinite. The objection to the amendment was that it was as vague as the organic law itself. In this case I provide for the continuance of a function undertaken by the Department of Labor and which comes fairly within the general purpose for which the department was created.

The CHAIRMAN. Will the gentleman cite the Chair to that statute?

Mr. LONDON. Yes. The statute reads that it is one of the functions of the Department of Labor to increase opportunities of profitable employment, to increase the opportunities of the wageworker for profitable employment. Now, if the Chair will bear with me for a moment, the Labor Department was created for the purpose of promoting the general welfare of labor, and among the functions of the Department of Labor one is to increase the opportunities for profitable employment. Now, it was with the object of increasing the opportunities for profitable employment, of minimizing unemployment, of minimizing involuntary idleness, that a national system of unemployment exchanges was created, so as to bring the man and the job together. I am not arguing the merits of my amendment, but it is necessary to understand the object of maintaining a system of unemployment exchanges in order to realize that the function which the department is now exercising is squarely within the purpose for which it was created.

The CHAIRMAN. Now, does not that go back to the very proposition upon which the Chair ruled; that is, is not the gentleman predicating his amendment and his argument upon that general language which the Chair has just held was not sufficient to authorize an appropriation?

Mr. LONDON. No. I am predicating it on two facts. I can realize—

The CHAIRMAN. I mean the law. I do not mean the facts.

Mr. LONDON. The law. I realize that an amendment calling for an appropriation of \$500,000,000 to the Secretary of War to carry out the purposes for which the War Department was created would be out of order.

But my amendment is confined to one specific duty, to one particular item, to a limited function, and that function is not the creation of something new, but the continuance of an existing system of unemployment exchanges, now maintained by the Department of Labor, and for which an appropriation has been carried in an appropriation bill during the war and for which an appropriation is carried in the deficiency appropriation bill.

The CHAIRMAN. Let the Chair say this to the gentleman, although it is not the custom of the Chair ordinarily to say that: The Chair can not reflect, or ought not to reflect, his legislative views in his parliamentary decisions. The present occupant of the Chair has never, so far as he is conscious of it, reflected a legislative view in a parliamentary decision. The Chair is not passing now upon the wisdom or unwisdom of the proposition, but the Chair is only passing on the parliamentary situation. We must preserve the integrity of the rules of the House. Otherwise we would be in constant chaos.

Now, that upon which the Chair wishes to hear the gentleman is how his amendment can be justified under the law.

Mr. LONDON. Exactly. That is what I was addressing myself to.

The CHAIRMAN. Whether the gentleman's amendment and his argument do not go back to the exact proposition upon which the Chair just ruled.

Mr. LONDON. Oh, no. The Chair previously ruled that the appropriation, couched in the language of the organic law, which is vague and indefinite and which permits the branching out into hundreds of activities, is too general to be admitted under an appropriation act. But in this case I again call the attention of the Chair to the fact that I am narrowing down the appropriation to one distinct item.

The CHAIRMAN. Where is the statute which authorizes the United States Employment Service?

Mr. LONDON. It does by authorizing and directing the Secretary of Labor to devise means to increase the opportunities of profitable employment.

The CHAIRMAN. That is the very language that was quoted in the amendment offered by the gentleman from Massachusetts [Mr. GALLIVAN].

Mr. LONDON. I know; but what the Chair objected to before was the use of the very expression of the statute, "to increase the opportunities for profitable employment."

The CHAIRMAN. It seems to the Chair that that would present a stronger case than the indefinite language. Is there a statute anywhere that authorizes unemployment exchanges?

Mr. LONDON. There is no statute which in so many words authorizes unemployment exchanges, but there is this legal situation before you: The department is created for the purpose of increasing the opportunities for profitable employment. In the course of the life of the Department of Labor it has been found that in order to increase the opportunities for profitable employment it has become necessary to create a clearing house, a network of unemployment exchanges, so as to enable the jobless man to find his job and to bring the man and the job together. That function is now being exercised by the Department of Labor, and the Chair must take judicial notice of the fact that the Department of Labor is now exercising that function.

And furthermore, the presumption exists that no department of the Government is violating the law. The Secretary of Labor is now, under the law under which his department was created, maintaining a system of unemployment exchanges.

The CHAIRMAN. Of course, the department is not violating the law, but the authority under which the department is operating in the employment exchange was carried in an appropriation bill at some time; I mean the money with which it is operating—

Mr. LONDON. Not in so many words—

The CHAIRMAN. Which possibly would have been subject to a point of order if it had been made at the time. The decision of the Chair does not indicate that the department has been violating the law in any way.

Mr. LONDON. I understand that that was not the object of the decision.

The CHAIRMAN. Has the gentleman from New York concluded?

Mr. LONDON. Yes. Of course, I know that there is no law which in so many words authorizes the establishment of unemployment exchanges for the next fiscal year.

Mr. CALDWELL. Mr. Chairman—

The CHAIRMAN. The gentleman from New York [Mr. CALDWELL] is recognized.

Mr. CALDWELL. Mr. Chairman, the Chair has asked for a citation of the law that would justify the amendment of the gentleman from New York [Mr. LONDON]. I have listened with a great deal of care to the arguments both for and against this amendment, and I particularly call the attention of the Chair to the wording of this statute, as applied to the amendment just offered. If the Chair has before him volume 37 of the public laws, part 1, page 736, chapter 141, the next to the last sentence in the paragraph reads—

The purpose of the Department of Labor shall be—

Then there are several other words of general character—to advance their opportunities for profitable employment.

Now, that is not a general, glittering power. It is a duty, and it is specific. It is a duty that is imposed by law, and if this Congress passes a law of that kind, it is the duty of this Congress, if it expects the department to carry out the will of the Congress of the United States, to appropriate the necessary moneys to enable it to be carried out. And if it is our duty to appropriate under the existing law, then it is not new legislation, and it is not expanding the authority of the Committee on Appropriations. It is not robbing any committee of its legislative function, but it is the plain intentment of the statute that here and now, at this time, the Congress of the United States in its general appropriation should supply the

Department of Labor with money enough to do that which this statute says they shall do, and it seems to me very plain.

Now, no decision that has been quoted here has been differentiated or explained. Every precedent that has been cited applies to this case, and no precedent has been cited against it, and no one of the precedents cited has been differentiated; and with all due respect, I do not think the Chair was right in the other decision, and certainly is not justified in ruling this amendment out of order.

The CHAIRMAN. So far as the other ruling was concerned, that is res judicata, for it has been sustained by the committee.

Mr. CALDWELL. The committee has sustained it, and I meant no reflection whatever on the Chair.

The CHAIRMAN. The Chair understands that.

Mr. GORDON. Will the gentleman yield?

Mr. CALDWELL. Yes.

Mr. GORDON. Would Congress have authority to appropriate a thousand million dollars and authorize the Secretary of Labor to go out and hire everybody who was out of a job and put him to work?

Mr. CALDWELL. No.

Mr. GORDON. Why not? That is furnishing more direct employment than your agency would.

Mr. CALDWELL. The proposition of the gentleman from Ohio would go outside of the fundamental law. Here a duty is imposed upon the Department of Labor, and it being a duty, it is necessary for us to appropriate the money necessary to enable it to perform that duty, and is therefore naturally a matter for the Committee on Appropriations.

The CHAIRMAN. The reason the Chair did not refer to the precedents that were cited in the argument made upon the point of order to the amendment offered by the gentleman from Massachusetts was that the Chair did not think there was one of those precedents that was on all fours at all with this proposition. The Chair thought that, in so far as the precedents cited were concerned, the amendment presented a de novo proposition. That is why the Chair did not refer to the decisions that were suggested as possible precedents. Now, coming to the amendment offered by the gentleman from New York [Mr. LONDON], it reads as follows:

Page 152, after line 20, insert as a new section:

"For the purpose of continuing the present system of employment exchanges, \$10,000,000."

All that has been cited is the very language that was cited in the argument upon the amendment offered by the gentleman from Massachusetts. No statute has been directed to the attention of the Chair other than the general language upon which the Chair undertook to pass. The Chair thinks it stands exactly as the other amendment stood, and sustains the point of order.

Mr. DECKER. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DECKER: Page 152, after line 20, insert as a new section:

"For expenses of Department of Labor, made necessary by the act of March 4, 1913, entitled 'An act to create a Department of Labor,' \$10,000,000."

Mr. BLANTON. I make a point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GALLIVAN. I should like to have the gentleman give some reason for the point of order.

Mr. BLANTON. Because it is legislation and not germane.

Mr. GALLIVAN. It is not new legislation.

The CHAIRMAN. The Chair thinks that this clearly falls within the same lines we have been discussing, and the Chair sustains the point of order.

Mr. DECKER. Mr. Chairman, I would like to be heard.

The CHAIRMAN. The Chair will hear the gentleman, although the Chair has sustained the point of order.

Mr. DECKER. Mr. Chairman, the Chair has repeatedly asked for some act to base the appropriation on. I wish the Chair for a moment to consider the fact that I base this amendment on the original act.

Now, it may be that Members of this House, or it may be that the Chairman, do not think that \$10,000,000 is necessary to carry out the expenses of the bureau created by the original act. But that does not make it out of order. That, I submit, is a question for the good judgment and conscience of Members who sit in this body. I can not see on what ground, by whatever stretch of the imagination, or by what discrimination of logic—

Mr. MONDELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MONDELL. Has not the Chair sustained the point of order?

Mr. DECKER. He has, but he is listening to me. [Laughter.]

Mr. CANNON. A very patient man. [Laughter.]

Mr. DECKER. He is.

Mr. BLANTON. Mr. Chairman, a point of order. I submit that the gentleman is attempting to argue the merits of the amendment and not addressing himself to the point of order.

The CHAIRMAN. The Chair thinks the gentleman from Missouri is speaking to the point of order.

Mr. DECKER. Mr. Chairman, I think I know the difference between the merits and the point of order, and, knowing that he is a learned judge, I would not presume to place myself in the class of a jurist, like the distinguished gentleman from Texas, but I do submit, and I claim the clemency of the Chairman, who knows my frailties and limitations better than the gentleman from Texas, to speak on the proposition which looks to me simple. If it is not simple it is not my fault. That is this, that once upon a time the Congress of the United States created a Bureau of Labor. The Congress of the United States provided for certain officers and expenditures of that Bureau of Labor, and to-night, as a Member of this body, I offer an amendment which says that for the expenses of carrying on that Bureau of Labor we shall appropriate, instead of what has already been appropriated, the large sum of \$10,000,000; and if the distinguished Chairman will allow that to be in order, as I think it is in order, I would like to discuss with the distinguished jurist from Texas the merits of the question. But, so far as it being in order, it may be a fool amendment, it may be unwise, it may be radical, but that is for me and gentlemen who represent their constituencies to take upon their consciences and exercise their judgment. [Applause.]

I know something about the rules of logic. I am not a parliamentarian, but if the expenditures of the Bureau of Labor are now \$1,000,000, I claim the right to make it \$10,000,000, according to the original act, and then the gentlemen can stand in their places and vote aye or no, whether they want to spend that much money for the sake of the toilers of this land. [Applause.]

The CHAIRMAN. The Clerk will read.

Mr. DECKER. I did not hear the ruling, and I most respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Missouri appeals from the decision of the Chair. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. BRAND took the chair.

The question was taken; and on a division (demanded by Mr. DECKER) there were 106 ayes and 33 noes.

So the decision of the Chair stands as the judgment of the committee.

Mr. GARRETT of Tennessee resumed the chair.

The Clerk read as follows:

The paragraph of the deficiency appropriation act approved July 8, 1918, which increased the compensation of certain employees of the Government Printing Office during the period of the war and for six months after the proclamation of peace, shall continue in effect until June 30, 1920.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph to ask the gentleman from South Carolina a question. What increase did this provide on July 8, 1918?

Mr. BYRNES of South Carolina. Fifty to sixty cents an hour in certain cases and sixty to sixty-five in other cases.

Mr. WALSH. The schedule of increases based on compensation received at the time?

Mr. BYRNES of South Carolina. For linotype operators, printers, proof readers, and so forth.

Mr. WALSH. Why is it desired to extend this time until June 30, 1920?

Mr. BYRNES of South Carolina. For the reason that if it is not done then there will be a considerable reduction in the pay of the employees at that time, when all other employees of the Government are receiving an increase. In justice to them it does not look fair at this time, when the compensation of all other employees is being increased, not to give to these men an increase that it granted them during the war until the end of the fiscal year. It does not carry beyond the fiscal year.

Mr. KEATING. Mr. Chairman, I have not the figures here, but my recollection is that if you eliminate this paragraph the members of the typographical union in the Government Printing Office would be receiving considerably less than the members of the other printing offices around town.

Mr. WALSH. Of course that will be so after June 30, 1920. Is it intended that before June 30, 1920, not only these Government employees but the others shall secure legislation making these increases permanent?

Mr. BYRNES of South Carolina. So far as the committee is concerned of course we have no such intention at this time and make no declaration as to what will then take place. We hope that by action of Congress there will be some classification of salaries by that time that will be fair to all, but it did seem to us that it would be unfair at this time to cause a reduction in the salaries of these particular employees of the Government when all the others are being increased.

Mr. WALSH. I understand that the \$240 bonus which has been provided in the legislative, executive, and judicial appropriation bill runs until June 30, 1920.

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. The increase that is granted to the Government Printing Office employees was not fixed upon that basis at all. It was an increase upon a schedule from 50 cents to 60 per hour, according to the class of work done, and when that increase was originally granted it was to continue until the termination of the war and for six months thereafter, and by that language they were given at the time it was granted apparently a longer period in which they would enjoy that increase than those who were given the \$120 bonus last year; but that seems to me no reason why we should provide now that they should go to June 30, 1920.

Mr. BYRNES of South Carolina. The bonus of \$240 will apply to all employees until June 30, 1920.

Mr. WALSH. And not to these employees?

Mr. BYRNES of South Carolina. And these employees would be receiving a decrease in their salaries without the application of the bonus.

Mr. WALSH. Do these employees get the \$240 bonus?

Mr. BYRNES of South Carolina. They do.

Mr. WALSH. And this additional compensation besides?

Mr. BYRNES of South Carolina. The bonus means about 33 cents a day. The committee took the trouble to figure it out in order to ascertain the justice of this claim. The increase that was given by Congress to these men amounted in their case to at least 40 cents a day. It means that if they get the \$240 they are decreased 7 or 8 cents anyway in a day.

Mr. WALSH. I do not quite understand the gentleman's mathematics. They get a \$240 bonus?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. And by this provision they get a further increase?

Mr. BYRNES of South Carolina. The same compensation they have been receiving; and since last year they get the \$120.

Mr. WALSH. And beginning July 1 they will get \$240?

Mr. BYRNES of South Carolina. Yes.

Mr. WALSH. And then they will get, further, 40 cents a day?

Mr. BYRNES of South Carolina. No. If they are not permitted to continue to receive it, it means that their compensation will be reduced at least 7 cents a day, and in some cases it goes up to 20 cents or 25 cents a day; and I can say to the gentleman that the committee figured it out most carefully, and they are of opinion that we should not reduce the wages of these people.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

Mr. JUUL. Mr. Chairman, I have the greatest respect for the law-drafting ability of gentlemen who attend to the doing of such things in the city of Washington, but would it not be possible to give a man 40 cents or 50 cents a day more than he was getting without putting the increase into bills in a manner so that it takes two of the greatest experts on the floor of the House to understand what you are doing, leaving the other 400 men not understanding it at all?

Mr. BYRNES of South Carolina. I agree with the gentleman entirely.

Mr. JUUL. It seems to me that if you want to give a man a dollar more a day, it could be put into a bill so that even a man from out in my country could understand it. [Laughter.]

Mr. BYRNES of South Carolina. I agree with the gentleman.

The Clerk read as follows:

For the War Department, \$1,000,000: *Provided*, That the sum of \$3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War, and not exceeding \$50,000 shall be available for printing and binding under the direction of the Chief of Engineers.

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph. What bulletins are to be printed from this appropriation of \$1,000,000 for the War Department for the instruction of the medical officers?

Mr. BYRNES of South Carolina. The \$3,000 item?

Mr. WALSH. Yes.

Mr. BYRNES of South Carolina. The exact information that is to be contained in the bulletins I do not know. The statement was that they want to issue some bulletins for the instruction of the surgeons in the Army. I suppose from time to time that is done. It seems to me it ought to be done. It seems to me they ought to be able to secure the benefit of the information that the Surgeon General can secure.

Mr. WALSH. I suppose this information will be taken from textbooks or medical works of some character?

Mr. BYRNES of South Carolina. No; it may be the result of research, and that is what I imagine is the purpose, that the result of the research will be communicated to surgeons of the Army so they may be able to keep up with the progress in medicine.

Mr. WALSH. Does either of the gentlemen know whether this covers the publication of the bulletin issued by the War Department in connection with the rehabilitation work?

Mr. BYRNES of South Carolina. No; I do not. That was not for the instruction of medical officers, and I am satisfied it is not included in it.

Mr. WALSH. I withdraw the point of order.

The Clerk read as follows:

For the Department of Agriculture, including not to exceed \$47,000 for the Weather Bureau, and including the Annual Report of the Secretary of Agriculture, as required by the act approved January 12, 1895, and in pursuance of the joint resolution No. 13, approved March 30, 1906, and also including not to exceed \$200,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by Senators, Representatives, and Delegates in Congress, as they shall direct, \$600,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word to inquire why this increase of a half in the appropriation?

Mr. SHERLEY. They had in 1918, \$650,000; in 1919, \$600,000, and this is the same amount.

Mr. WALSH. I discovered I was in error and I withdraw the pro forma amendment.

The Clerk read as follows:

For the Department of Labor, \$150,000.

Mr. JUUL. Mr. Chairman, I just wish to ask the chairman of the committee, in line 13, for the Department of Labor, \$150,000. What is that for?

Mr. SHERLEY. That is for printing and binding for the department.

Mr. JUUL. Now, may I be permitted to ask another question?

Mr. SHERLEY. Yes, sir.

Mr. JUUL. Could that item here carry \$10,000,000 or carry any other thing without being subject to the point of order?

Mr. SHERLEY. It would be in order to increase the amount in any sum, but if it were increased it could only be spent for printing and binding.

Mr. JUUL. The gentleman's idea is that this body does not possess power under existing law to increase to any sum the money of any item that is in here and then utilize the money for employment?

Mr. SHERLEY. No. It has to be utilized for the purpose for which it is appropriated, and in order to be carried for that purpose it must be authorized by existing statute law. Now, I am glad the gentleman asked the question that I may say this: The other matter is over, and I do not care to revive it—

Mr. JUUL. The gentleman understands I am not speaking in criticism.

Mr. SHERLEY. I understand.

Mr. JUUL. I am trying to see if this body possesses the power while handling this bill to meet an emergency that to me seems to have arisen. Do we possess the power in any way to-night to add to any item the sum necessary to maintain these employment bureaus?

Mr. SHERLEY. Well, I do not think there is any place in the bill where you could increase amounts for the purpose of carrying on the employment bureau for next year. The gentlemen will recall I carried in the bill which passed the House to-day an appropriation of \$1,800,000 for the express purpose of carrying on the employment bureau until July 1, and I did that in connection with the deficiency bill because we had made an appropriation for the fiscal year that ends in July, which turned out to be insufficient, and I felt under present conditions we ought to carry a sum sufficient to carry that department until the 1st of July, and personally, speaking just for myself, I also believe that there is a certain amount of activity that ought to be carried on after that date in connection with the demobilization and with the present condition in the labor market, but I think that ought to be done through a provision that would indicate some direct pur-

pose rather than in the loose way that would have resulted if we had undertaken without authority to put it on this bill, and I spoke to the point of order not because of the merit of the proposal, with which I had a great deal of sympathy, but because it is the duty of the chairman of the committee to protect the bill and because the effects of these rulings upon legislation in the future are very widespread and far-reaching.

Mr. JUUL. Then the gentleman's verdict is we are absolutely helpless to remedy this condition?

Mr. SHERLEY. Well, not to remedy it permanently, but to do it by an amendment on this bill at this time. There is no reason why Congress should not deal with the situation long before the 1st of July.

Mr. JUUL. This would be the only opportunity between now and March 4?

Mr. SHERLEY. I do not know. You can suspend the rules in a day or two.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes; and

H. R. 357. An act conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.

The message also announced that the Senate had passed with amendments the bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 15706. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 5559. An act to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes;

H. R. 2012. An act for the relief of Mrs. W. E. Crawford;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 11219. An act providing for the appraisal and sale of the Gig Harbor abandoned military reservation in the State of Washington, and for other purposes;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain-described tract of land;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 12579. An act to grant to citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 12860. An act granting to members of the Army Nurse Corps (female) and Navy Nurse Corps (female), Army field clerks, field clerks, Quartermaster Corps, and civil employees of the Army pay and allowances during any period of involuntary captivity by the enemy of the United States;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 13056. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13482. An act creating a commission for the maintenance, control, care, etc., of the Perry's victory memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads; and

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5553. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; and

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

SUNDRY CIVIL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

For the Supreme Court of the United States, \$15,000; and the printing for the Supreme Court shall be done by the printer it may employ, unless it shall otherwise order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. That is peculiar language, and I would like to ask the chairman of the committee whether he thinks the words "unless it shall otherwise order" are necessary?

Mr. SHERLEY. The purpose of that, I think, is to enable the Supreme Court, if in its judgment it thinks it necessary, to have certain printing done other than in the Government Printing Office.

Mr. MOORE of Pennsylvania. As it reads it would appear as if the Supreme Court might have the printing done where it pleases unless it reverses itself. The expression is an odd one—"unless it shall otherwise order."

Mr. SHERLEY. I think that language is a little peculiar. It has been there a number of years. I do not know its ancestry or history, but the purpose of it is to give to the Supreme Court liberty to do its printing where it desires.

Mr. MOORE of Pennsylvania. Does the gentleman say that language has been used heretofore?

Mr. SHERLEY. I am quite sure it has. I think it was put there before my time in the Congress.

Mr. MOORE of Pennsylvania. I should hesitate very much to have the Congress reflect upon the Supreme Court in this way and to indicate it might do this thing unless it thought it wise to do otherwise.

Mr. SHERLEY. Well, the Supreme Court has power, of course—

Mr. MOORE of Pennsylvania. If the gentleman is satisfied with the language, I will not move to strike it out. I thought perhaps those words "unless it should otherwise order" were not necessary.

Mr. SHERLEY. We have followed the routine of previous bills.

Mr. MOORE of Pennsylvania. If the court has the power to have the printing "done by the printer it may employ," why add "unless it shall otherwise order"?

Mr. SHERLEY. I suppose somebody put that in in order that by the employment of one printer it might not be compelled during the fiscal year to use only that printer.

Mr. MOORE of Pennsylvania. Well, if the gentleman is satisfied I am.

The Clerk read as follows:

For the Library of Congress, including the copyright office and the publication of the Catalogue of Title Entries of the copyright office, and binding, rebinding, and repairing of library books, and for building and grounds, \$200,000.

Mr. MILLER of Minnesota. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman in charge of the bill a question.

The Library of Congress has been for some years publishing some documents giving the result of researches in historical subjects, which documents are, in my opinion, of unusual and extraordinary value. Their publication was nearly all discontinued about two years ago. Upon inquiry I found it was because of lack of funds. I assume that the only provision in the bill which might furnish funds for these publications is in this paragraph. If I am incorrect, I would like to be corrected.

Mr. BYRNES of South Carolina. I will say to the gentleman this amount is all they asked, and when you vote for it you give them all they ask. They asked for \$200,000, and this bill carries \$200,000.

Mr. MILLER of Minnesota. That certainly is as generous as the committee could expect to be. But may I inquire further, then, if the committee has in its estimates from the Library of Congress the completion of the publication of some of these items? I refer to one in particular, although there are several, which is the publication of the Records of the Continental Congress. It has all been completed but two volumes. It is of distinct value throughout the country. They have the material;

the manuscript is waiting and accumulating dust. May I ask the gentleman if the estimates included these items?

Mr. BYRNES of South Carolina. No; I must say we have no information as to the status of the particular documents that they have, but I am satisfied if they did not ask for more than \$200,000 they must have based that largely on the work they have on hand and with a view of completing the publications to which the gentleman refers.

Mr. MILLER of Minnesota. May I ask the gentleman this question, then? The language indicates to me that this appropriation covers two subjects, if I may use that language.

First, the binding and rebinding of general books that are on the shelves of the Library of Congress; also the binding of such publications as I have just referred to. Am I correct in that assumption?

Mr. BYRNES of South Carolina. It covers all their binding. It is the only fund that they have, and any binding that they have is covered by this fund.

Mr. MILLER of Minnesota. Does that compare favorably with the amount appropriated two years ago?

Mr. BYRNES of South Carolina. It is the exact sum that they have had for five years.

Mr. MILLER of Minnesota. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For the Interstate Commerce Commission, \$130,000, of which sum not exceeding \$10,000 shall be available to print and furnish to the States at cost report-form blanks.

Mr. ESCH. Mr. Chairman, I ask unanimous consent to have printed in the RECORD a letter from Chairman Daniels, of the Interstate Commerce Commission, inclosing a letter received by him from Commissioner Prouty, director of the division of values, on the subject of the use of cars in connection with parties engaged in valuation work. There was some comment made on this subject matter when that item was before the House.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to have printed in the RECORD the letter indicated. Is there objection?

There was no objection.

Following is the correspondence referred to:

INTERSTATE COMMERCE COMMISSION,
Washington, February 27, 1913.

HON. JOHN J. ESCH,
House of Representatives, Washington, D. C.

DEAR SIR: In view of the fact that the question has recently come before the House as to the character of equipment used by valuation parties of the Interstate Commerce Commission, I requested from the director of valuation a memorandum relating to the character of this equipment.

A copy of the director's reply is submitted herewith.

Very truly, yours,

W. M. DANIELS, Chairman.

FEBRUARY 26, 1913.

HON. WINTHROP M. DANIELS,
Chairman Interstate Commerce Commission,
Washington, D. C.

DEAR SIR: You ask me to state the character of equipment which is used for the housing of our road and track parties engaged in valuation work.

Very early in this work it became apparent for reasons which need not be stated here that, except in the most densely populated parts of the country, it would be necessary to subside our parties in cars which would contain the instruments and records necessary for field work, and would house and feed our men. The first of these cars were provided by taking two freight cars for each party and fitting up the interiors with bunks, a computing room, and a kitchen.

While these outfit cars have never been altogether satisfactory, they have been continued in use during the whole period of our work, and are still in service, with the exception of two or three cars in the southern district, which have been turned back to the railroads when the party using them was disbanded.

After trial of this plan, it was suggested that a better and more economical arrangement might be worked out by using Pullman tourist cars which had been discarded as worn out by that company. A contract was finally entered into with the Pullman Co. to refit a certain number of these cars, strengthening them so as to be available for service in passenger trains, providing a kitchen with cooking apparatus in one end and a computing room in the other, etc., etc. The cars were thoroughly overhauled in every respect and freshly painted. The price paid by the Government was approximately \$3,000 per car.

These cars have proved fairly satisfactory. As our parties are gradually being disbanded they are offered for sale. Five of them have already been advertised and bids recently opened. The highest bid received is \$1,000 per car.

Respectfully,

(Signed) C. A. PROUTY, Director.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Money appropriated under the foregoing allotments shall not be expended for printing or binding for any of the executive departments or other Government establishments, except such as shall be certified in writing to the Public Printer by the respective heads or chiefs thereof to be necessary to conduct the ordinary and routine business required

by law of such executive departments or Government establishments, and except such reports, monographs, bulletins, or other publications as are authorized by law or specifically provided for in appropriations herein; all other printing required or deemed necessary or desirable by heads of executive departments or other Government establishments or offices or bureaus thereof shall be done only as Congress shall from time to time authorize.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. If I understand correctly the purpose of this paragraph, it is that none of the departments that receive money from any appropriations made in this bill can have printed at the Government Printing Office any publication, bulletin, monograph, or report, except such as may be authorized by law or specifically provided for herein, or except as shall be certified in writing to the Public Printer by the respective heads or chiefs of the bureaus and departments as necessary in order to conduct the routine business of these departments. Can the gentleman having this measure in charge state how many of these certificates the Government Printer has one file, certifying to the necessity of these many, many publications, magazines, bulletins, monographs, autographs, and photographs that have been published at the Government expense during the past two years?

Mr. BYRNES of South Carolina. I have no information from the Government Printing Office that they have thousands, or even hundreds, of certificates. I know that the Printing Office does require orders from the departments for every bit of printing that it does; every requisition. I do not think it is abused at all. I have no information that it is.

Mr. WALSH. Does the gentleman think that the right of publication of these various documents by the different departments has not been abused?

Mr. BYRNES of South Carolina. I mean under this fund. If the gentleman means that the departments may have been refused their right to publish bulletins, or if he reflects on the character of the bulletins they have issued, I will not take issue with him. But I mean that they have not committed any abuse under this paragraph.

Mr. WALSH. Of course I know that the gentleman is a very busy and competent member of this most important committee, and that he has to give a great deal of time to the preparation of the legislation which it reports. But it would seem to me that there are several departments which receive their most important and essential appropriations under the provisions of this act that are having printed bulletins and other publications which, if they are certified in writing to be necessary to conduct the ordinary and routine business required by law of such executive departments, we either should amend this law or we should require the chief or his assistant, who signs the certificate, to read the document before he signs it, because there are a great many of these publications that have been issued that certainly are not necessary to conduct the routine business of the department, and I think they are a hindrance, because they require additional help to send them out and prepare them and issue them. Some of them are sent out in expensive wrappers and scattered hither and yon at a great expense to the Government for transportation by mail. I had hoped that the gentleman might have given some information on this subject.

Mr. BYRNES of South Carolina. I would state to the gentleman that in the legislative bill there is a provision giving the Joint Committee on Printing authority and direction to investigate allotments in order that some of the work that the gentleman refers to and complains about may be eliminated.

Mr. CANNON. Mr. Chairman, will the gentleman yield to me for a minute?

Mr. BYRNES of South Carolina. I will.

Mr. CANNON. I want to make an observation, hoping that the time will come before a great while when there will be a severe censorship as to Government documents. There are services paid for from the Public Treasury, propaganda touching almost every conceivable subject, in the name of education, in the name of information, that, in my judgment, are very improper, but you can not undertake to regulate it to-night.

Mr. STAFFORD. If the gentleman will permit—

Mr. CANNON. Yes—

Mr. STAFFORD. The very practice which the gentleman seeks to criticize has been prohibited in an amendment that was offered in the Senate and was adopted by the conferees on the legislative, executive, and judicial appropriation bill.

Mr. CANNON. I am very glad to hear it. Speed the day when it will go into effect!

The Clerk read as follows:

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference, directories, books, miscellaneous

office and desk supplies; paper; twine, glue, envelopes, postage, car fares, soap, towels, disinfectants, and ice; drayage, express freight, telephone and telegraph service; repairs to building, elevators, and machinery; preserving sanitary condition of building, light, heat, and power; stationery and office printing, including blanks, price lists, and bibliographies, \$39,000; for catalogues and indexes, not exceeding \$16,000; for binding reserve remainders and for supplying books to depository libraries, \$80,000; equipment, material, and supplies for distribution of public documents, \$20,000; in all, \$150,000.

Mr. BYRNES of South Carolina. Mr. Chairman, I move to amend line 12, page 163, by striking out "\$150,000" and inserting in lieu thereof "\$155,000." It does not change other items, but simply corrects a total.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 163, line 12, strike out "\$150,000" and insert "\$155,000."

The amendment was agreed to.

The Clerk read section 3.

Mr. MONDELL. Mr. Chairman, the Clerk has read so rapidly that we passed the Panama Canal item before I knew it. I want to make a very brief statement in regard to that enterprise. A few years ago we used to discuss the Panama Canal a very great deal; but the great war and the things connected with it have taken our minds away from that great engineering work of ours. We hear and speak very little of it.

It is interesting to know that even with the conditions of war that have existed, the tolls during the last fiscal year have been larger than ever in the history of the canal. They amounted to \$6,439,083.99. The appropriations for the fiscal year were \$10,650,000; but the Panama Canal Commission separated the items, and they have estimated that those items properly chargeable to cost of operation amounted to \$5,903,719.69, giving us a net balance of revenues over actual cost of operation of about \$500,000.

The commission called the attention of the committee to the fact that had the original rules of measurement been in operation the revenue the last year would have been largely increased. Instead of being the sum that I have mentioned, it would have been \$7,522,195.68, an increase of \$1,083,069. By reason of the change in rules of measurement we have lost \$2,797,260.26. There is a bill before the House proposing to restore the old rule of measurement. That bill should become a law. These great losses in canal revenues are in the main going to the benefit of foreign shippers. A very few American shippers, shortsighted in their view of things, in my opinion, believing they were somewhat affected by this matter of measurement, have opposed the change to the original system.

They have been beneficiaries to a very limited degree of the new system. The foreigner has been the beneficiary in a very great degree, particularly those ships carrying the British flag. We have practically given to British shipping since the change in the rules of measurement two and three-quarter million dollars that should be in the Treasury of the United States. We ought to remedy that mistake in the very near future.

With regard to the future of the canal, Col. Harding, in his statement before the committee—and this will seem rather startling to gentlemen after the statement that we have collected half a million dollars more in tolls in the past year than the actual cost of operation—estimated that instead of collecting \$6,000,000, as we have the last year, if the time comes when we shall collect \$23,000,000 from the canal it will begin to pay. The period when the tolls will increase from their present sum to \$23,000,000 is probably some distance off.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent for one minute more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended one minute. Is there objection?

There was no objection.

Mr. MONDELL. We can hasten the day by restoring a fair, reasonable rule of measurement under which carriers shall pay for the cargoes they carry through. With the coming of peace there will, of course, be a very greatly increased traffic through the canal.

Fortunately the difficulties with regard to slides are all over. The canal is operating smoothly; everything is moving as it should; it is a good going concern, and if business gets better, as it should, we may some day in the future begin to get a revenue from that great enterprise.

Mr. CURRY of California. Mr. Chairman, I do not wish to take up the time of the committee so late to-night, when I know that it wishes to finish the bill, in discussing the Panama Canal question. But when the bill referred to by the gentleman from Wyoming [Mr. MONDELL] shall be reported to the House favorably, and comes before the House for action I will discuss it

and tell why it was reported and why they want it passed. That bill is not in the interest of American shipping; it is entirely aimed at the coastwise trade between the Pacific coast and the Atlantic coast and the Atlantic coast and the Pacific coast. That is a statement on my part which I can prove, but which I do not wish to take up the time of the House to-night to do.

The Clerk read as follows:

SEC. 4. That the President is authorized to transfer to the custody and care of such of the departments or independent establishments as he may determine the files and records of the agencies created for the period of the war upon the discontinuance of such activities.

Mr. CALDWELL. Mr. Chairman, I move to strike out the last word. I notice this section is section 4, the one before it is section 3, and the one before that is section 2, but there is no section 1.

Mr. BYRNES of South Carolina. All of the bill preceding is section 1.

The Clerk read as follows:

SEC. 5. That the following portions of the unexpended balances of appropriations for the fiscal year 1919 for the support of the various services, as set forth in this section, shall be covered into the Treasury immediately upon the approval of this act, namely:

Capital Issues Committee, \$265,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, this section strikes me as being one of the most important in the bill. Is it understood that upon the adoption of section 5 the Capital Issues Committee will go out of business?

Mr. BYRNES of South Carolina. It is practically out of business now, only one member of the committee there, and this will leave \$200 or so to wind up the business.

Mr. MOORE of Pennsylvania. The section winds up by saying: "The following portions of the unexpended balances of appropriations for the fiscal year 1919 for support of the various services, as set forth in this section, shall be covered into the Treasury immediately upon the approval of this act." And then it names the Capital Issues Committee, \$265,000. My question is, Does that take back into the Treasury all the money that is left available to the Capital Issues Committee?

Mr. BYRNES of South Carolina. All except \$100 or some small amount to pay outstanding obligations.

Mr. MOORE of Pennsylvania. It means that the Capital Issues Committee goes out of business completely on the passage of this act?

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. And the Committee on Public Information, \$200,000 of the appropriation of \$1,250,000?

Mr. BYRNES of South Carolina. It does.

Mr. MOORE of Pennsylvania. That means that Mr. Creel's Bureau of Information goes out of business?

Mr. BYRNES of South Carolina. Except that we leave to them a little larger amount, because they have outstanding obligations which exist, and that they may dispose of some bills. But we specifically provide that this bureau and the Bulletin shall go out of business on April 1, so that there shall be no mistake about it.

Mr. MOORE of Pennsylvania. Does \$1,250,000 remain in the bureau after the passage of this bill?

Mr. BYRNES of South Carolina. Oh, no; only two or three thousand dollars—I have forgotten the amount—but the bureau will wind up business.

Mr. MOORE of Pennsylvania. The bill reads \$200,000 of the appropriation of \$1,250,000.

Mr. BYRNES of South Carolina. That means that the original appropriation was \$1,250,000.

Mr. MOORE of Pennsylvania. And they have used up all but \$200,000, and the bill provides that the maintenance of the service bureau in the District of Columbia and the publication of the Official Bulletin shall be discontinued from and after April 1, 1919, and thus we get rid of the Official Bulletin and the service bureau?

Mr. BYRNES of South Carolina. We do.

Mr. MOORE of Pennsylvania. Mr. Creel and all his associates on the passage of the act go out of business after April 1, 1919?

Mr. BYRNES of South Carolina. No. Mr. Creel has a fund out of the President's fund, but I have no information as to what constitutes that fund. So far as the money we have appropriated, we take it away.

Mr. MOORE of Pennsylvania. If the service is continued here or in Mexico, where they issue a bulletin, or in France, where Mr. Creel now is, apparently, it will be continued out of the President's fund?

Mr. BYRNES of South Carolina. It will, because he has no other fund here.

Mr. MOORE of Pennsylvania. Congress stops all appropriations for Mr. Creel and his bureau?

Mr. BYRNES of South Carolina. That is the purpose of this section.

Mr. MOORE of Pennsylvania. And the Council of National Defense, \$75,000. Does that wind up the Council of National Defense?

Mr. BYRNES of South Carolina. No; it does not. In my opening remarks I called attention to that in presenting the bill. The Council of National Defense was created prior to our entering the war. Its purpose was to collect statistics which might be used in case of war. The Council of National Defense asked the Congress to appropriate \$300,000 for the next year, as they wished to engage in several activities. They have a highway department to advise as to the value of good roads and several other things, and the committee, instead, has left them with a small amount. We made an appropriation in this bill of \$50,000 for the next fiscal year, which is ample, we think, for them to carry out the purpose and perform the duties described in the organic act creating them, which was to collect statistics as to the manufactures of the country.

Mr. MOORE of Pennsylvania. This \$75,000 was a part of an appropriation made direct by Congress to the Council of National Defense?

Mr. BYRNES of South Carolina. That is right.

Mr. MOORE of Pennsylvania. And they have other funds remaining with which to go on with these new activities? I am asking these questions to learn how soon we are going to get rid of these war boards.

Mr. BYRNES of South Carolina. We will get rid of every war bureau with the exception of the Council of National Defense, and that, after you have taken this \$75,000, will have left a small balance which will enable them to continue a very much reduced organization to July 1, and after July 1 they will have an appropriation of \$50,000.

Mr. MOORE of Pennsylvania. The policy of the committee, however, is to cut down from this time.

Mr. BYRNES of South Carolina. That is the purpose of this; and every other war bureau, by reason of this section, will have to wind up its affairs on July 1.

Mr. MOORE of Pennsylvania. The Federal Trade Commission, \$300,000.

Mr. BYRNES of South Carolina. Of course, that is not classed with the war bureaus at all. The Federal Trade Commission voluntarily stated to the committee that they were able to save out of a lump sum that was given to them \$300,000. It was based on the continuance of the war, and with the discontinuance of the war and the discontinuance of their activities in arriving at the cost prices for the Army and Navy, they were able to turn back into the Treasury this amount of \$300,000.

Mr. MOORE of Pennsylvania. That, of course, is a continuing body.

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. That is provided for by law. Food Administration, \$3,500,000.

Mr. BYRNES of South Carolina. That is covered back to the Treasury, and the Food Administration will discontinue its activities on July 1.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes more to continue these inquiries. This is a very important matter, and I think the committee is to be commended for this report, and the House and the country ought to be gratified to know that these agencies are going out of business and we are saving some money.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BYRNES of South Carolina. I will tell the gentleman the status of these agencies. When we take back from the Food Administration the sum of \$3,500,000 we will leave them with a small amount, sufficient to wind up their affairs. They will have some auditors left, who will audit the accounts that will come in between now and July 1, and they will have a few file clerks, who are engaged in filing the records of the administration, but they will go out of business completely on July 1.

Mr. MOORE of Pennsylvania. What will become of the headquarters, the buildings and the furniture, and things of that kind that have been used by the Food Administration?

Mr. BYRNES of South Carolina. All of the furniture is turned over to the general supply commission, and the building will be turned over to the Superintendent of Capitol Buildings and Grounds under the provision of the legislative bill.

Mr. MOORE of Pennsylvania. The passage of this bill and the recovery of \$3,500,000 will practically wipe out the Food Administration?

Mr. BYRNES of South Carolina. Yes.

Mr. MOORE of Pennsylvania. And if the gentleman will tell us about the War Industries Board, \$1,925,000.

Mr. BYRNES of South Carolina. The withdrawal of this sum means that they will cease their activities and, as in the case of the other bureaus, they are left with a small sum sufficient to take care of their outstanding obligations up to July 1.

Mr. MOORE of Pennsylvania. Is that particular branch to continue its war activities?

Mr. BYRNES of South Carolina. If they are they will have no funds under this bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not wish to detain the House, but the fact that we are about to get rid of these various appendages of the Government due to the war is a matter of congratulation, I think, to the country. The Capital Issues Committee served a useful purpose. It was of doubtful origin, but it has served its purpose and is going out of business, refunding \$265,000. The Committee on Public Information, headed by Mr. Creel, has run its course and is about to wind up its affairs, for which I trust the country will be grateful. The Council of National Defense has been useful and has brought fame to many a dollar a year man, some of them having large personal knowledge of matters of Government and some of them serving with a real patriotic purpose. It is about to go out of business, except as indicated by the chairman of the committee. The Federal Trade Commission, of course, continues.

The Food Administration, headed by Mr. Hoover, turns back \$3,500,000 and is about to quit, for which I think the Nation should be thankful. The Fuel Administration is in the same boat; it will turn back about \$775,000, and I think we can all feel we are well rid of these bodies. The War Industries Board will turn back \$1,925,000; but, according to the chairman of the committee, certain reservations have been made and certain activities of that board are to be continued. I am pleased to note that the War Trade Board is going out of business, and that it will refund \$250,000. The utility of the War Trade Board has been very dubious indeed. It has been an organization intended to aid American commerce and protect it during the progress of the war; but complaints with regard to the War Trade Board have been such that its passing should not be without comment. Our American merchants endeavoring to trade on the other side have been prevented from doing business because of the activity or the inactivity of the War Trade Board, and apparently it has been as much in the interests of other countries as it has been in the interest of the United States. Here is a communication from a large American concern—the Metal Export Co. of America—indicating that because of the relation between the War Trade Board of the United States and certain foreign agencies it has been practically impossible for the American merchant to do business abroad. We may sell at the American price, but the world price is cheaper than the American price. By manipulation, by licensing, by operation of foreign embargoes, the American dealer has been put to very great disadvantage. Mr. Chairman, I ask unanimous consent that I may insert this letter as a part of my remarks.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the Record by publishing the letter indicated. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

METAL EXPORT CO. OF AMERICA,
New York City, February 24, 1919.

HONORABLE SIR: We will show in a brief and incontrovertible way how the good offices of the present administration are being unconsciously and unwittingly employed to assail and destroy the industries of this country.

2. The following are the facts and the remedy:

3. On May 8, 1918, the Trondhjem Blikemballagefabrik (tinplate box manufacturers), of Trondhjem, Norway, members of and secretary to the Trondhjem Import Cannery Union, contracted with us to furnish them 3,000 double boxes of tin plates f. o. b. New York.

4. The Norske Handelsbank of Trondhjem on the same day gave us a bank guaranty, available for one year, guaranteeing the payment on presentation of bills of lading in Trondhjem.

5. We complied with all existing Norwegian, British, and American regulations and duly received from the buyer the import number, 149, issued by the Trondhjem Import Cannery Union, of which the buyer is secretary.

6. We gave the Norwegian Legation in Washington proof of the issuance of the guaranty number by the Trondhjem Import Cannery Union, and they, in the conventional manner, supported our license with the War Trade Board.

7. On July 26, 1918, the Norwegian Legation in Washington wrote us as follows:

"METAL EXPORT CO. OF AMERICA,
59 Pearl Street, New York City.

"DEAR SIR: Re tin plates. We are in receipt of your letter of the 25th instant, and in reply regret to say that in accordance with information given us by the War Trade Board there is no more possibility of obtaining export license for the above commodity from America. We understand that an arrangement has been reached at according to which England is to supply all the quantity of tin plate as required by Norway. Inclosed we return the letter from the Trondhjem Cannery Import Union.

"Yours, very truly,

"LEGATION OF NORWAY,
Commercial Department."

This arrangement was subsequently rescinded, and we received the export licenses to which we were entitled. In the interval, however, it clearly follows that prospective Norwegian buyers were not covering their requirements in America.

8. On December 22, 1918, we received a cable from our agents stating, "Trondhjem Blikemballage want to cancel, which we refused."

9. On February 13 the Norwegian Legation called up the Norwegian-American Line twice on the long-distance telephone and told them under no circumstances to accept these goods, and subsequently told them to keep very confidential the source of their information. On the same day the Norwegian-American Line in New York confirmed the conversation in writing and stated:

"We have received confidential request from the Norwegian Legation to withhold the forwarding on the ground that the export license is not yet formally in order. Therefore, without disclosing the source of your information, it might be well to have your Washington representative call on said legation and ask them what they know about the license in question, and that we are holding up your shipment."

10. We immediately reported the facts to the Foreign Trade Adviser, State Department, also to the Bureau of Foreign and Domestic Commerce.

11. On February 13, 1919, the Norwegian Legation in Washington wrote us as follows:

"DEAR SIR: Referring to your shipment of 3,000 cases to Trondhjem Blikemballagefabrik, for which we understand you have obtained an export license from the War Trade Board, we beg to inform you of having received a cable from the ministry of foreign affairs stating that the import certificate covering this shipment is canceled. Under these circumstances we should advise you, in case the goods having not as yet been shipped, to withhold shipment until further and a new import permit has been granted or the old one renewed, as otherwise you may risk a refusal of the import on arrival to Norway."

This veiled threat is not supported by the contract, which provides for payment by the Norske Handelsbank against shipping documents and not on arrival.

12. On February 21 we received the following letter from the War Trade Board:

"DEAR SIR: License was recently granted to you to ship 3,000 cases of tin plates to Trondhjem Blikemballagefabrik, the shipment being covered by import certificate No. 149. The Norwegian Legation has advised us that this import certificate had been canceled, and they further advised us that so far you have not made use of the license. The legation has requested us to cancel that license, and in order to comply with their wishes in the matter we would request that you return the license to us at once.

"Yours, truly,

"WAR TRADE BOARD,
BUREAU OF EXPORTS."

To which we replied in the negative and that the facts were not correctly stated.

14. Owing to purchasing the goods from us at a time when foreign exchange was so greatly in their favor, the buyers no doubt availed themselves of the opportunity to buy dollars, with a resulting profit of about 25 to 30 per cent. As the exchange market has now reversed itself, if they are permitted to repudiate the contract, they can now use the same dollars to buy kroner, and make both ways on the transaction.

15. The contract was made in good faith, and because circumstances have temporarily placed this country at a disadvantage, and consequently the same lot may be purchased very much cheaper from another country, the buyer is desperately seeking, with every available means and subterfuge in their power, to abandon the contract, with the assistance of official influence which they have procured in some mysterious way.

17. We quote the Boston News Bureau, December 10, 1917:

"Subcommittee on tin of the institute was again in consultation with Washington authorities on Monday, and action to release the American industry from further domination of the British tin committee is expected."

At the present time English tin is quoted in New York at 72½ cents per pound and in London about 46 cents, enabling British manufacturers to easily and substantially undersell the American works.

18. The freight from New York to Trondhjem is over 3 cents a pound, and the freight across the North Sea is only a small fraction, and correspondingly less insurance. The boats leave England daily for Norway and the distance is negotiated in about 24 to 36 hours.

The very existence of our export trade, which has made this country a creditor Nation is imperilled, and unless the present administration immediately corrects this abuse of our institutions by foreign nations and stops shielding foreign firms at the expense of American citizens we will be a target for the mockery of the world and a shadow of bankruptcy and despair will confront us.

At this very moment, due to a state of somnolence, the foreign nations all over the world are making great strides in their efforts to conquer us in the world's markets, and as the recent speeches in Congress show, some of the Members are fully alive to the dangerous and intolerable situation, but this specific and concrete case should bring every Senator and Congressman to his feet, denouncing in unequivocal terms this unparalleled injustice to our commerce, directed and instigated by a foreign nation.

We exporters, who have patiently suffered during the war inconceivable hardships and prodigious losses, appeal to you for justice and redress.

Yours, most respectfully,

METAL EXPORT CO. OF AMERICA,
Per ALBERT A. MOERS.

Mr. TAYLOR of Colorado. Mr. Chairman, I move to strike out the last two words. Whatever may be said about the vari-

ous boards that are about to terminate their existence, there is one certainly I feel the country owes a great deal to, and that is the Capital Issues Committee. I do feel that they have done a splendid service in this country, and I think we ought really to continue their existence during the next liberty loan. I feel that they would render great service to this country during that loan. I feel that they would prevent a large number of concerns over the country from trading in securities and trading in liberty bonds that would be beneficial to the country, and I was hoping they would allow them to exist until this next liberty loan was over.

Mr. BYRNES of South Carolina. If the gentleman will yield, I will say that the Capital Issues Committee has no desire to continue in existence—

Mr. TAYLOR of Colorado. I know.

Mr. BYRNES of South Carolina. But express their willingness to turn this back; and in fact all the committee, except one gentleman, has left the city, and he is exceedingly anxious to leave.

Mr. TAYLOR of Colorado. They do not want a job, any of them, and they have been doing good work.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. TAYLOR of Colorado. I will.

Mr. MOORE of Pennsylvania. I can say to the gentleman that the hearings of the Ways and Means Committee reveal the fact that the Treasury officials are entirely satisfied with the force they now have for disposing of this new \$7,000,000,000 loan. They are perfectly aware that the Capital Issues Committee have ceased to function, and they are resigned to that, and they are satisfied that the money appropriated in the loan bill will accomplish the sale.

Mr. TAYLOR of Colorado. I know the members of the committee do not want to continue their occupation at all. They are not hunting a job. The question is whether or not there is anybody or any other organization that can perform the services and protect the American people in the way they have been doing.

Mr. MOORE of Pennsylvania. You mean in the matter of investments and issues of investments?

Mr. TAYLOR of Colorado. Certainly.

Mr. MOORE of Pennsylvania. I think they have served a useful purpose during the war.

Mr. TAYLOR of Colorado. I say they ought to continue.

Mr. CALDWELL. Mr. Chairman, at this closing hour I would like to call attention to the fact that notwithstanding all appropriations passed by this Congress have been passed by a Congress that was practically evenly divided between the Democrats and Republicans, and notwithstanding the Republicans, in the face of that proposition, have voted very largely for the appropriations, they have criticized the Democratic administration for extravagance in office and the waste of money to an unheard-of extent. As a matter of fact, the greater portion of the legislative days of this Congress have been devoted to a criticism on this Republican side of the House, where I now stand, of the administration on the question of extravagance and inefficiency. And yet, notwithstanding the fact that the Democrats have not appropriated any money except the amounts that were largely approved by the Republicans in this House, here, in these few small items, the Democratic administration, by reason of its efficiency, has been able to turn back into the Treasury out of these small sums that have been appropriated with the approval of the Republicans the large sum of \$7,290,000. And I congratulate the Democratic administration for its efficiency, and I feel that we ought to be proud of the success that has attended their efforts to economize and conduct the Government in a way the Republic has approved.

Mr. GREEN of Iowa. Mr. Chairman, I am glad to hear the gentleman who has just taken his seat make some remarks about the efficiency with which the administration has conducted the affairs of the country and his reference to the items we have in hand. I observe one item which I read with a great deal of satisfaction, with reference to the Fuel Administration and of the appropriations from which \$775,000 is to be stricken out. With reference to this particular board there is nothing that becomes it so much as its passing away. We will all hail it with a great deal of pleasure. It is like the funeral we have so often heard about, as to which somebody asked what complaint the deceased suffered from, and the reply was that there was no complaint; everybody was satisfied.

Mr. Chairman, in times of war, and possibly on other occasions, we can endure being tyrannized over by men of talent and ability who do great things; we can even endure arrogance and haughtiness from a really big man whose work is a model of efficiency in the public service. But when some pinhead who fancies himself great, but whose ability is in inverse ratio

to his own estimate of himself, putting on the airs of an oriental potentate, messes and muddles our affairs with not half the sense that an ordinary busybody would manifest, it is really too much.

Mr. Garfield thought himself of such importance that he kept about his person such restrictions as the most haughty autocrat would use. The orders which he issued might produce all sorts of oppression and hardship. What of that? His serene highness must not be disturbed with reports of how the actions of his department were interfering with or ruining business, freezing entire communities, nor even told of the utter folly of his pet projects, nor the extreme hardships which were being inflicted. Why should he, the all powerful, listen to any complaints? Had he not already applied his infallible intellect to the problems of his office? He had spoken, and that settled it.

If the consequences had not been so dangerous to the country a more ludicrous spectacle of a man attempting to elevate himself with nothing to build upon would have ever existed. The results of Mr. Garfield's actions were serious enough in the winter of 1917-18, and if the war had continued and the winter of 1918-19 been of ordinary severity, untold calamities would have befallen us. A kind Providence that tempers the wind to the shorn lamb preserved us by sending one of the mildest winters ever known. The war ended and we were saved through no fault of his. During the summer and fall he was busily engaged in directing hard coal to Canada and in making arrangements which resulted in stopping to a large extent the mining in my State and Illinois.

The Fuel Administration has been criticized by nearly everyone and praised by nobody. The only thing those most anxious to excuse it could say was that it had a "difficult task." It had, indeed. The job of making one continuous round of blunders must have been something terrific, and how it could have succeeded in bringing about a more wretched mess of the fuel situation than it did last winter is more than I can imagine. It had some able men connected with it, but the utter incompetency of its chief made complete failure inevitable.

Mr. Chairman, in the course of the procedure of this particular bureau all of us have had their griefs, and I have had mine. This board undertook the management of the fuel of this country, and one of the first discoveries its chief made was that, in order to prevent the congestion of freight at our ports, it would be an excellent plan to shut down the factories for about two weeks. In the same manner it could have been easily arranged to entirely stop the factories by burning them down, so that the ports would never again get congested. The latter system would have been a little more effective than the first which was proposed, and just about as sensible. As it was, this foolish performance cost the country not less than \$25,000,000. Without rhyme or reason it undertook to change the route of shipments for the whole country and cast all previous experience to the winds.

But if this board had made its blunders universal all over the country and treated everybody alike there would not have been so much complaint. Unfortunately it distributed special favors and placed all sorts of discriminations throughout the country. In the distribution of coal in my section of the country I ascertained some time last fall that notwithstanding Garfield had made orders that Illinois coal should not go into the part of Iowa where I lived, certain favored individuals were receiving their coal right along, and others, that they chose to discriminate against, were not receiving it. Other gentlemen have reported to me numerous other discriminations, and like myself found they could get no remedy. Mr. Garfield surrounded himself with a sort of bodyguard of highly paid assistants, whose chief function seemed to be to keep common individuals like Congressmen, governors, and judges away lest he should find out what the people were thinking of him. In fact, he was wastefully supplied with help, both in this city and everywhere, but the millions which his bureau expended in this way were but a small part of what his régime cost the country. He seemed to fancy that the circle of his presence was so sacred that ordinary mortals should not venture into it, but stand far off and submit their complaints to some underling so far down on the official ladder that he could give no remedy if he would and would not if he could.

I went to see his royal highness, who presided over this institution, and—

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GREEN of Iowa. I ask unanimous consent to proceed for five minutes. This is the first time I have occupied the floor on this bill.

There was no objection.

Mr. GREEN of Iowa. As I was about to state, I attempted to call on the head of the Fuel Administration, to remonstrate with him against these proceedings. I thought perhaps I would be able to see his majesty without much trouble. I was informed that possibly I might see him in a couple of days. I went there a couple of days afterwards, and I succeeded in seeing the fourth assistant buffer, who inquired as to the nature of my visit; and after having seen the fourth assistant buffer I was subsequently permitted to see the third assistant buffer. [Laughter.]

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. No; I can not yield.

Mr. CALDWELL. I was going to ask the gentleman—

Mr. GREEN of Iowa. I do not yield.

The CHAIRMAN. The gentleman from Iowa declines to yield.

Mr. GREEN of Iowa. I was then told that possibly I might see the secretary upon the next day. I called the next day, but did not see the secretary, but I saw the second assistant secretary [laughter], and then I was informed that I might see some one else, possibly the next day. So I went on for about a week in my effort to see the royal duke. It was more difficult to see this little self-constituted magnate, who had shut himself up to manage the fuel service of this country, and who did more to confuse things and disturb business than anything else, than it would have been to see the President himself; and I never did see him, and the people of my region never did get any relief. The same discrimination occurred, the same breaking of the law, the same utter disregard of principles of right and justice on the part of this administration was continued until the end.

Mr. LOBECK. Mr. Chairman, will the gentleman yield?

Mr. GREEN of Iowa. No; I can not yield. It is very late, and I want to get through.

Mr. LOBECK. Who was your fuel administrator in Iowa?

Mr. GREEN of Iowa. I decline to yield.

Mr. LOBECK. Of course, you will not say.

The CHAIRMAN. The gentleman declines to yield.

Mr. GREEN of Iowa. There was no possibility of getting any redress. It seemed that this little minion, dressed in a little brief authority, assumed that he might be able to Prussianize this country, and, to a certain extent, he succeeded, so that millions of the money of the people has been wasted to no purpose except to annoy, harass, and disturb business. Therefore, Mr. Chairman, I view with great satisfaction the demise of the Fuel Administration. [Applause.]

I wish to say, however, that in one respect the Fuel Administration was highly efficient. That was in looking after the operators of the mines. The governor of my State, the executive council, the delegation in Congress, and nearly everybody insisted that the operators of mines in Iowa were making extortionate profits. Mr. Garfield insisted that their cost sheets showed that they were not, but refused to make public the cost sheets. As a matter of fact, these operators were simply guilty of legalized robbery. Mr. Garfield defended and protected them. I do not charge corruption on his part, but if there had been corruption the results would have been no worse. Let the Fuel Administration go. It has no friends and few apologists.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BYRNES of South Carolina. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 16104) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BYRNES of South Carolina. I move the previous question on the bill and amendments to the final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

Mr. BURNETT. Mr. Speaker, I move to recommit the bill with the following instructions to the Committee on Appropriations—

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BURNETT. I am not.

The SPEAKER. If anybody who is opposed to the bill wants to offer a motion to recommit, the Chair will recognize him. If not, the gentleman from Alabama will be recognized.

Mr. CALDWELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CALDWELL. Has not the minority a representative who is entitled to offer this motion?

The SPEAKER. Anybody who qualifies by stating that he is opposed to the bill has the right of way. If nobody does that, then the gentleman from Alabama will be recognized. The Clerk will report the motion offered by the gentleman from Alabama.

The Clerk read as follows:

Mr. BURNETT moves to recommit the bill with instructions to the committee to report the bill back forthwith with the following amendments: Amend, by adding at the end of line 20, page 150, the following: "Provided, That no part of this sum shall be expended in salaries or expenses of any officer, clerk, or employee who authorizes, permits, or aids in the admission of any alien who falls within the excluded classes named in section 3 of the act entitled 'An act to regulate the immigration of aliens to and the residence of aliens in the United States,' passed February 5, 1917."

Mr. BYRNES of South Carolina. I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit. The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. BYRNES of South Carolina, a motion to reconsider the vote by which the bill was passed was laid on the table.

WHEAT GUARANTY.

Mr. LEVER. Mr. Speaker, I ask the Speaker to lay before the House the wheat guaranty bill (H. R. 15796), with Senate amendments.

The SPEAKER laid before the House the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919, and to protect the United States against undue enhancement of its liabilities thereunder, with Senate amendments thereto.

Mr. LEVER. I move that the House concur in all the Senate amendments except Senate amendment No. 12 and Senate amendment No. 24.

Mr. HAUGEN. Well, Mr. Speaker, we will have a separate vote. We can not vote on them both at the same time. Is it the purpose of the gentleman to send the bill back to conference?

Mr. LEVER. I am going to try to concur in such amendments as I do not think are vital to the bill.

Mr. HAUGEN. If the bill goes to conference, the gentleman ought to send all the amendments to conference. That is the usual way of doing it.

Mr. MOORE of Pennsylvania. I want to say to the gentleman that I would like a disagreement to amendment 9.

Mr. LEVER. I will be glad to send that back.

Mr. HAUGEN. How about amendment No. 3?

Mr. YOUNG of North Dakota. Send them all back.

Mr. MOORE of Pennsylvania. Let us send them all back to conference.

Mr. LEVER. If the gentleman from Iowa [Mr. HAUGEN] desires to tie up this bill in conference on inconsequential amendments, I will ask that the House disagree to all the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the House disagree to all the Senate amendments and ask for a conference.

Mr. LEVER. Except Senate amendment numbered 24, which has to do with the cotton proposition. I want to offer a motion to concur in Senate amendment 24 with an amendment.

Mr. HAUGEN. That is all right.

The SPEAKER. The gentleman from South Carolina moves to concur in Senate amendment 24 with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. LEVER moves to concur in Senate amendment 24 with the following amendment:

"That the United States cotton-futures act, approved August 11, 1916 (39 Stat. L. p. 476), is hereby amended as follows:

"In the fifth subdivision of section 5 of said act, strike out the words 'good ordinary' wherever the same occur and substitute therefor the words 'low middling'; strike out the words 'low middling' and substitute therefor the word 'middling'; and strike out the words 'if stained, cotton that is below the grade of middling' and substitute therefor the words 'if yellow stained, cotton that is below the grade of strict middling, or, if blue stained, cotton that is below the grade of good middling,' so that the said subdivision shall read as follows:

"Fifth. Provide that cotton that, because of the presence of extraneous matter of any character, or irregularities or defects, is reduced in value below that of low middling, or cotton that is below the grade of

low middling, or, if tinged, cotton that is below the grade of strict middling, or, if yellow stained, cotton that is below the grade of good middling, the grades mentioned being of the official cotton standards of the United States, or cotton that is less than seven-eighths of an inch in length of staple, or cotton of perished staple or of immature staple, or cotton that is "gin cut" or reginned, or cotton that is "repacked," or "false packed," or "mixed packed" or "water packed," shall not be delivered on, under, or in settlement of such contract.

Strike out the sentence comprising the seventh subdivision of section 5 of said act and substitute therefor the following:

"Seventh. Provide that all tenders of cotton and settlements therefor under such contract shall be in accordance with the classification thereof made under the regulations of the Secretary of Agriculture by such officer or officers of the Government as shall be designated for the purpose, and the costs of such classification shall be fixed, assessed, collected, and paid as provided in such regulations. All moneys collected as such costs may be used as a revolving fund for carrying out the purposes of this subdivision, and section 19 of this act is amended accordingly."

Strike out the last sentence of section 5 of said act and substitute therefor the following:

"The Secretary of Agriculture is authorized to prescribe regulations for carrying out the purposes of the seventh subdivision of this section, and the certificates of the officers of the Government as to the classification of any cotton for the purposes of said subdivision shall be accepted in the courts of the United States in all suits between the parties to such contract, or their privies, as prima facie evidence of the true classification of the cotton involved."

"The foregoing amendments to section 5 of said act shall become effective on and after the approval of this act, but nothing herein shall be construed to diminish any authority conferred on any official of the United States necessary to enable him to carry out any duties remaining to be performed by him under said act as unamended, or to impair the effect of such act as to any contract subject to its provisions entered into prior to the effective date of said amendments, or to impair the effect of the findings of the Secretary of Agriculture upon any dispute referred to him under said section 5 as unamended."

Effective on and after the date of the passage of this act, insert at the end of section 8 of said act the following:

"Provided further, That it shall be the duty of any person engaged in the business of dealing in cotton, when requested by the Secretary of Agriculture or any agent acting under his instructions, to answer correctly to the best of his knowledge, under oath or otherwise, all questions touching his knowledge of the number of bales, the classification, the price or bona fide price offered, and other terms of purchase or sale, of any cotton involved in any transaction participated in by him, or to produce all books, letters, papers, or documents in his possession or under his control relating to such matter. Any such person who shall, within a reasonable time prescribed by the Secretary of Agriculture or such agent, willfully fail or refuse to answer such questions or to produce such books, letters, papers, or documents, or who shall willfully give any answer that is false or misleading, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$500."

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on that.

Mr. NOLAN. Mr. Speaker, I make the point that there is no quorum present.

Mr. LEVER. Mr. Speaker, I move to concur in the Senate amendment.

The SPEAKER. But the gentleman from California makes the point of no quorum.

Mr. LEVER. Will the gentleman from California withhold that until I make the parliamentary motion?

Mr. HEFLIN. I shall move a call of the House if he insists on the point of no quorum.

Mr. NOLAN. I will withhold it for the present.

Mr. LEVER. Mr. Speaker, I move to concur in the Senate amendment with an amendment by striking out all of the Senate amendment and substituting the amendment that has just been read.

Mr. STAFFORD. Mr. Speaker, I make a point of order on the motion. As I understand, it is the gentleman's intention to move to disagree to all the other Senate amendments and ask for a conference except on this amendment 24?

Mr. LEVER. Exactly.

Mr. STAFFORD. This bill goes over to the Senate with all other amendments disagreed to except amendment 24. Does the gentleman expect that the Senate will accept amendment 24 as amended by the House in case the House adopts the amendment, or does he expect that the Senate will move to disagree to Senate amendment 24 and ask for a conference on that?

Mr. LEVER. I have the assurance of the chairman of the committee that the amendment I have proposed will be acceptable. I have also the assurance of a prominent man representing the Southern States, interested in this proposition, that this amendment is satisfactory to him. So I think there is no question but that the Senate will accept it. I think it is agreed that the Senate amendment is so very narrow in its lines as to the delivery of contracts that it might have an effect to greatly depress the contract price and probably might result in closing some exchanges.

The purpose of the amendment I have offered is to put the matter in conference, so that if there are any defects in the proposition I offer, we have a proposition broad enough so that we can work out a reasonable solution.

Mr. STAFFORD. But you are not putting it in conference; you are forcing upon the Senate in the closing hours of the

session the necessity of the Senate asking for a disagreement to amendment 24, as proposed by the House, and asking the House to grant a conference.

Mr. LEVER. Let me say that this amendment I have proposed was unanimously agreed upon by the cotton members of the Committee on Agriculture on yesterday and also by the full committee. I have talked with the chairman of the Committee on Agriculture in the Senate, and the amendment proposed here is satisfactory to him. If I may be permitted, out of order, I will say that I have talked with Senator SMITH of Georgia, who has been interested in this proposition, and he feels that the Senate will promptly accept the proposition.

Mr. STAFFORD. I am only pointing out that in case the Senate should not accept the House amendment to the Senate amendment it would require further action on the part of the Senate.

Mr. WALSH. Can not that be obviated by sending amendment 24 to conference and instructing the conferees to agree to that amendment with an amendment?

Mr. STAFFORD. I think that is the better way, as suggested by the gentleman from Massachusetts. I am informed unofficially that a filibuster has been going on for five hours in the Senate. The gentleman does not want to get into that snarl.

Mr. CANDLER of Mississippi. I have just come from the Senate, and I want to say that the filibuster is over and they have agreed on a program.

Mr. LEVER. I will state that if this proposition endangers the bill I should recede from it, for I do not propose to lose the bill.

Mr. STAFFORD. If the gentleman would disagree to all Senate amendments and then make a motion to instruct the conferees to agree to Senate amendment 24 with an amendment, as suggested by the gentleman from Massachusetts, I think that would be the better solution.

Mr. LEVER. I am quite willing to do that. Mr. Speaker, I withdraw the motion that I made.

The SPEAKER. What is the gentleman's motion?

Mr. LEVER. Mr. Speaker, the gentleman from Georgia [Mr. CRISP] suggests that might make it subject to a point of order under the Senate rules. I stand by my original motion to strike out the Senate provision and substitute the matter that has been read at the Clerk's desk.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order from the amendment.

The SPEAKER. The gentleman from South Carolina moves to concur in the Senate amendment 24 with an amendment.

Mr. LEVER. Striking out the amendment and inserting—

The SPEAKER. Striking out the Senate amendment and substituting the matter read at the Clerk's desk.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield?

Mr. LEVER. Yes.

Mr. HUMPHREYS. I heard the provision read. It does not limit the contract in the New York and New Orleans Cotton Exchanges in the number of bales that may be delivered on any contract of various grades. For instance, I do not know how many, but my information is that there are several hundred different kinds of cotton that can be delivered now under the law.

Mr. LEVER. The gentleman is mistaken about that.

Mr. CANDLER of Mississippi. Twenty-one.

Mr. HUMPHREYS. I think it is at least ten times 21. I think that can be clearly demonstrated. That number can be delivered now, and the vice of it is that on a contract for the delivery of 100 bales of cotton 25 different kinds of cotton can be tendered, which makes it utterly unacceptable, and, therefore, forces a settlement on margins. That, therefore, converts the exchange purely into a bare gambling establishment. It occurs to me that there ought to be some limitation on the number of bales of any particular type that can be delivered on a contract, and I just want to submit to the gentleman unless he does that he is not getting very far toward the elimination of the very undesirable features of the contract now.

Mr. LEVER. Let me say to the gentleman from Mississippi that under the present law there are 20 different grades deliverable upon contract, ranging from the highest grade to ordinary. Under the terms of the proposal here the number of grades tenderable would be 10 instead of 20. The Senate proposition is 7 instead of 10. In addition to that, this proposition instead of having agents or employees of the various cotton-future exchanges classify their own cotton, we propose in this that the Government shall classify this cotton through its own agents, to do two things, first, to save the time of appealing the dispute to Washington and the expense, and, second, to do away with the constant complaint that they are

delivering very low-grade cotton upon contracts such as dog-tail and the like of that, and thus enhance the confidence of the public in the contract, which in turn enhances the value of the contract. The other proposition is to see to it that some agency is set up which will gather from the various spot markets of the country quotations which shall be published daily as to the value of these various untenderable grades. If you do not do that, you put these untenderable grades, which may sometimes amount to 15 or 20 per cent of a crop in abnormal conditions, and under normal conditions 5 to 10 per cent, absolutely at the mercy of the big spot-cotton merchants and spinners.

We have set that machinery up to take care of that situation and we have reduced the number of tenderable grades from 20 to 10.

Mr. HUMPHREYS. Here is the thought I had in mind, that if they are permitted to offer any of the types that they may offer in lots of 50 bales, say—that can be handled, that would take care of all the low-grade cotton, that would not depress that at all—if they can deliver on a contract for 100 bales of cotton 100 different kinds of cotton—

Mr. LEVER. They could not do that under this provision.

Mr. HUMPHREYS. One or two or three bales of a kind, it would be utterly unacceptable to anybody who is in the cotton business. I have not got it in my pocket, but I am going to insert in the Record, if I may, a letter from a very large cotton merchant—

Mr. LEVER. And a cotton miller?

Mr. HUMPHREYS. No. He is not interested in mills. He is a large cotton planter and what we call a cotton buyer, a cotton merchant. I will introduce that into the Record, and if the gentleman will read it he will find that under this contract you now prescribe they will be able to deliver not 21, which the gentleman says they can deliver now, but at least 50 different types of cotton.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. LEVER. I am going to move the previous question on this right now.

Mr. KITCHIN. I hope the gentleman will withhold that point for just a minute.

Mr. MOORE of Pennsylvania. No; I will not. If this is to continue until 12 o'clock—

Mr. LEVER. No; I am going to move the previous question just now.

Mr. HEFLIN. I am going to move a call of the House; I give notice now.

Mr. KITCHIN. Will the gentleman just withhold his point for a moment?

Mr. MOORE of Pennsylvania. I withhold it for a moment.

Mr. GALLIVAN. Mr. Speaker, I demand the regular order.

Mr. KITCHIN. Just withhold that for one moment. I want to ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, I think after having worked so long to-night we will do very well if we go to work at noon.

Mr. KITCHIN. We hope to get through a little earlier to-morrow night. We have a contested election case to-morrow that will take, I would say, at least six hours, at least five and one-half hours of debate.

Mr. MONDELL. Does the gentleman understand as much time as that is desired?

Mr. KITCHIN. Yes; I understand it.

Mr. MONDELL. If that is true—

Mr. KITCHIN. Then, we would like to get this little luxury tax bill through, which will only take a few minutes.

Mr. MONDELL. Do I understand we are to take up the contested-election case the first thing in the morning?

Mr. KITCHIN. I have a little luxury tax bill which will take about two minutes.

A MEMBER. It is agreed the election case is to be taken up?

Mr. KITCHIN. Yes.

Mr. GALLIVAN. I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that the House meet at 11 o'clock?

Mr. WALSH. Mr. Speaker, reserving the right to object, I understand that to-morrow the business in order will be, first, the repeal of the luxury tax in the revenue bill passed and then the contested-election case?

Mr. KITCHIN. That is my understanding.

Mr. WALSH. Then, you can not come in with conference reports and shut out an election case. That is of the highest privilege.

Mr. LEVER. I recognize that.

Mr. WALSH. I want to know if it is understood that the first thing is the luxury tax repeal bill?

Mr. TAYLOR of Colorado. We have one or two uncontested conference reports that ought to be disposed of.

Mr. WALSH. Wait until after the election case.

The SPEAKER. Does the gentleman from North Carolina answer the question of the gentleman from Massachusetts?

Mr. KITCHIN. I was going to say to the gentleman from Massachusetts I understand there is a conference report that certainly could not take over 5 or 10 minutes, and we would like to dispose of that. If it takes any time over that, I will withdraw it.

Mr. SNYDER. I object to meeting at 11 o'clock.

Mr. KITCHIN. I will say to the gentleman from Massachusetts that we have the election case and the luxury tax bill—

Mr. WALSH. I will object to running in any conference reports. We started out with a conference report to-day with the understanding it would only take 10 minutes and they talked over 2 hours.

The SPEAKER. Is there objection?

Mr. KITCHIN. We will not have conference reports until we finish the contested-election case.

Mr. LEVER. Mr. Speaker, I move the previous question on the motion to concur.

The question was taken, and the previous question was ordered.

The SPEAKER. The question is on concurring with an amendment to section 24.

Mr. HARRISON of Virginia. I would like to ask the gentleman a question.

Mr. HEFLIN. Regular order.

The SPEAKER. The previous question has been ordered.

Mr. SNYDER. Mr. Chairman, did my objection stand as to the 11 o'clock meeting to-morrow?

Mr. McLAUGHLIN of Michigan. The gentleman withdrew it.

Mr. SNYDER. I did not withdraw it.

The SPEAKER. Is there objection to meeting at 11 o'clock a. m. to-morrow?

Mr. SNYDER. I object.

The SPEAKER. The question is on the motion of the gentleman from South Carolina [Mr. LEVER].

The motion was agreed to.

Mr. LEVER. Mr. Speaker, I move to disagree to other Senate amendments and ask for a conference.

The motion was agreed to.

The CHAIRMAN announced the following conferees: Mr. LEVER, Mr. LEE of Georgia, and Mr. HAUGEN.

Mr. LEVER. Mr. Speaker, I ask that the gentleman from Missouri [Mr. RUBEY] and the gentleman from Minnesota [Mr. ANDERSON] be added. I overlooked that fact.

The SPEAKER. Without objection, those names will be added.

ADJOURNMENT.

Mr. STAFFORD. Mr. Speaker, I make the point of order there is no quorum present.

Mr. GRAHAM of Pennsylvania. Mr. Speaker, I move that the Senate—

The SPEAKER. Does the gentleman from Wisconsin [Mr. STAFFORD] withdraw his point of order that there is no quorum present?

Mr. STAFFORD. No; I do not.

The SPEAKER. The gentleman from Wisconsin makes a point of order there is no quorum present.

Mr. HEFLIN. Mr. Speaker, I move a call of the House.

The SPEAKER. Evidently there is no quorum.

Mr. HEFLIN. If the gentleman from Wisconsin will withdraw that a moment and let this message come in—

Mr. STAFFORD. I have no objection to that.

The SPEAKER. The gentleman from Wisconsin withdraws his point momentarily.

Mr. HEFLIN. And I withdraw mine.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, and that the Senate recedes from its disagreement to the amendment of the House to the amendment of the Senate numbered 12 and agrees to the same.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reports that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915;

H. R. 5999. An act for the establishment of Gulfport, Miss., as a port of entry and delivery for immediate transportation without appraisement of dutiable merchandise;

H. R. 204. An act to provide for the fitting up of quarters in the post-office building at the city of Sacramento, Cal., for the accommodation of the district court of the northern district of California and its officers;

H. R. 3217. An act providing for an increase of authorization for the Federal building at Steubenville, in the State of Ohio;

H. R. 12211. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 13308. An act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13366. An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions;

H. R. 13035. An act to amend section 4 of Chapter V of an act entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918," approved July 9, 1918, and to make said amendment retroactive;

H. R. 13394. An act to extend the time for the completion of the dams across the Savannah River by authority granted to Twin City Power Co. by an act approved February 29, 1908, as amended by acts approved June 3, 1912, and March 1, 1916;

H. R. 15950. An act granting the consent of Congress to the county of Halifax, in the State of North Carolina, to construct a bridge across the Roanoke River;

H. R. 13037. An act to amend the fiftieth article of war;

H. R. 13306. An act to authorize the payment of allotments out of the pay of enlisted men in certain cases in which these payments have been discontinued;

H. R. 15834. An act to extend the time for the construction by Kratka Township of a bridge across the Red Lake River, in Pennington County, Minn.;

H. R. 14078. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13274. An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes;

H. R. 4610. An act to compensate Thomas G. Allen for injuries received while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13034. An act to validate and confirm certain erroneously allowed entries in the State of Minnesota; and

H. R. 13462. An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 5553. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 5554. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 4610. An act to compensate Thomas G. Allen for injuries while employed in the General Land Office of the United States, and making an appropriation therefor;

H. R. 13274. An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes;

H. R. 10394. An act to add certain lands to the Minam National Forest, Oreg.;

H. R. 7362. An act to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water;

H. R. 5989. An act to grant certain lands to the town of Olathe, Colo., for the protection of its water supply;

H. R. 15495. An act to amend an act to provide for the appointment of a commission to standardize screw threads;

H. R. 11368. An act to authorize the Secretary of the Interior to issue patent in fee simple to the National Lincoln-Douglass Sanatorium and Consumptive Hospital Association (a corporation), of Denver, Colo., for a certain described tract of land;

H. R. 13058. An act to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal.;

H. R. 13042. An act providing for the extension of time for the reclamation of certain lands in the State of Oregon under the Carey Act;

H. R. 12082. An act authorizing the sale of certain lands in South Dakota for cemetery purposes;

H. R. 12579. An act to grant to the citizens of Malheur County, Oreg., the right to cut timber in the State of Idaho for agricultural, mining, or other domestic purposes, and to remove such timber to Malheur County, Oreg.;

H. R. 1012. An act for the relief of Mrs. W. E. Crawford;

H. R. 17. An act to include certain lands in the counties of Modoc and Siskiyou, Cal., in the Modoc National Forest, Cal., and for other purposes; and

H. J. Res. 358. Joint resolution authorizing and directing the payment of the usual compensation of Representatives in Congress to those Members of the House who have been discharged from their military or naval duties.

ADJOURNMENT.

Mr. STAFFORD. Mr. Speaker, I make the point of no quorum.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Saturday, March 1, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting an estimate of appropriation required by the Department of the Interior for administration and protection of the Grand Canyon National Park, Ariz. (H. Doc. No. 1834); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State, submitting, at the request of the President, an estimate of an appropriation for the national security and defense (H. Doc. No. 1835); to the Committee on Appropriations and ordered to be printed.

3. A letter from the secretary of the Capital Issues Committee, transmitting report of the Capital Issues Committee as of December 31, 1918 (H. Doc. No. 1836); to the Committee on Ways and Means and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. LEVER, from the Committee on Agriculture, to which was referred the bill (H. R. 16184) to amend section 5 and section 8 of the United States cotton-futures act, approved August 11, 1916, and for other purposes, reported the same with amendment, accompanied by a report (No. 1151), which said bill and report were referred to the House Calendar.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 5517) to amend the war-risk insurance act, reported the same without amendment, accompanied by a report (No. 1154), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CROSSER, from the Committee on Patents, to which was referred the bill (H. R. 15853) to amend sections 8 and 21 of the

copyright act, approved March 4, 1909, reported the same with amendment, accompanied by a report (No. 1158), which said bill and report were referred to the House Calendar.

Mr. BANKHEAD, from the Committee on Education, to which was referred the bill (H. R. 15402) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth, etc., reported the same without amendment, accompanied by a report (No. 1159), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KITCHIN, from the Committee on Ways and Means, to which was referred the joint resolution (H. J. Res. 439) to repeal section 904 of the revenue act of 1918, approved February 24, 1919, reported the same without amendment, accompanied by a report (No. 1152), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the resolution (H. Res. 599) requesting the President to communicate to the House certain information concerning the War Trade Board, reported the same without amendment, accompanied by a report (No. 1155), which said bill and report were referred to the House Calendar.

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, submitted a report (No. 1157) to accompany House Document No. 1188, of the Sixty-fifth Congress, second session, relative to the purchase of land in the District of Columbia for the Bureau of Standards, which said document and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. CLARK of Florida, from the Committee on War Claims, to which was referred the bill (H. R. 11290) for the relief of heirs of estate of John Edwards, deceased, reported the same without amendment, accompanied by a report (No. 1156), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. McCULLOCH: A bill (H. R. 16194) to donate a captured cannon or gun to Ricksecker Post, No. 469, city of Dover, State of Ohio; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16195) to create a department of air service; to the Committee on Interstate and Foreign Commerce.

By Mr. TAYLOR of Colorado: A bill (H. R. 16196) authorizing and directing the Secretary of War to make certain donations of ordnance and cannon to designated cities; to the Committee on Military Affairs.

By Mr. MORIN: A bill (H. R. 16197) authorizing the Secretary of War to donate to the University of Pittsburgh two German cannons or fieldpieces, with carriages and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 16198) authorizing the Secretary of War to donate to the borough of Glassport, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16199) to repeal the espionage and censorship laws; to the Committee on the Judiciary.

Also, a bill (H. R. 16201) to provide for an advisory referendum vote of the people of the United States on the proposed league of nations; to the Committee on the Judiciary.

Also, a bill (H. R. 16202) to provide for an advisory referendum vote of the people of the United States on all declarations of war by the Government of the United States; to the Committee on the Judiciary.

By Mr. FOSTER: A bill (H. R. 16203) authorizing the Secretary of War to deliver to the city of Robinson, Ill., one cannon or fieldpiece and carriage captured from the German Army in the recent war; to the Committee on Military Affairs.

By Mr. LUNDEEN: A bill (H. R. 16204) to provide for Government ownership and control of the manufacture and sale of all weapons and munitions of war; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Joint resolution (H. J. Res. 440) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; to the Committee on Woman Suffrage.

By Mr. MASON: Resolution (H. Res. 613) requesting the Secretary of the Treasury to furnish the House information

relative to purchase of United States bonds by the Treasury; to the Committee on Ways and Means.

By Mr. RUBEN: Resolution (H. Res. 614) to pay Mayme O. Peak, clerk of the late William P. Borland, a Representative in Congress, \$166.66; to the Committee on Accounts.

By Mr. LUNDEEN: Resolution (H. Res. 615) to investigate foreign propaganda in the United States; to the Committee on Rules.

By the SPEAKER: Memorial from the Legislature of the State of Utah, urging the continuance of the United States Employment Service; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Oregon, favoring the passage of the McKellar-Keating bill, which provides for the retirement of certain civil-service employees; to the Committee on Reform in the Civil Service.

Also, memorial from the Commonwealth of Massachusetts, urging Congress to provide additional pay for soldiers and sailors discharged from the service of the United States; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Oregon favoring the passage of a bill appropriating \$1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; to the Committee on the Public Lands.

By Mr. GARNER: Memorial from the Legislature of the State of Texas, favoring the return of the telephone and telegraph lines to their owners; to the Committee on Interstate and Foreign Commerce.

Also, memorial from the Legislature of the State of Texas, favoring an appropriation by Congress for the reclamation of swamp lands; to the Committee on Appropriations.

Also, memorial from the Legislature of the State of Texas, favoring the deportation of undesirable aliens; to the Committee on the Judiciary.

By Mr. MAYS: Memorial from the Legislature of the State of Utah, petitioning for the continuance of the United States Employment Service; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII,

Mr. TAYLOR of Colorado introduced a bill (H. R. 16200) authorizing an exchange of land by A. A. Bruce, of La Veta, Colo.; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALLINGER: Petition of Payson Park Congregational Church, regarding league of nations; to the Committee on Foreign Affairs.

By Mr. DARROW: Petition of Otto Eisenlohr & Bros. (Inc.), H. O. Hurlburt & Sons, Smaltz Goodwin Co., Belfield Country Club, Peter Bros. & Co., C. J. Moran, and Arthur H. Lea, of Philadelphia, Pa., against the repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of American Association of Woolen and Worsted Manufacturers, against the repeal of daylight-saving law; to the Committee on Agriculture.

By Mr. DELANEY: Petition of Italian citizens of the city of New York, advocating the return to Italy of territory formerly belonging to it; to the Committee on Foreign Affairs.

By Mr. EMERSON: Petition of William V. Backus and others, in favor of an appropriation to be devoted to research work concerning the Spanish influenza; to the Committee on Appropriations.

Also, petition of John F. Daly and others, in favor of Government ownership of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of National Association of Machinists, Local No. 83, Cleveland, Ohio, protesting against legislation to prevent the right to strike; to the Committee on the Judiciary.

By Mr. FULLER of Illinois: Petitions of Burson Knitting Co. and O. Nedlung, superintendent Metropolitan Life Insurance Co., of Rockford; W. F. Roetz, of Ottawa; and Hibbard, Spencer, Bartlett & Co., of Chicago, all in the State of Illinois, opposing repeal of the daylight-saving law; to the Committee on Agriculture.

Also, petition of the Chicago Federal Employees' Union, favoring the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of the Chicago Federal Employees' Union, favoring the McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of the commercial committee of the Streator (Ill.) Trades and Labor Council, for resumption of work on all projects discontinued during the war; to the Committee on Labor.

Also, petitions of Peter Jones, secretary United Mine Workers of America, of Oglesby, and the Daily Post and Mattiesson & Hegeler Tinsel Co., of La Salle, Ill., for continuing the United States Employment Service; to the Committee on Appropriations.

Also, petition of the Traffic Club of Chicago, Ill., for improvement of the harbor at Great Lakes Naval Training Station; to the Committee on Rivers and Harbors.

Also, petition of the Congregational Ministers' Union of Chicago and vicinity, favoring a league of nations; to the Committee on Foreign Affairs.

Also, petition of the national conference of State manufacturers' associations, favoring demand for indemnities from Germany; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of Edward N. Cogswell Worden, asking for appropriation for maintenance of United States Employment Service; to the Committee on Appropriations.

Also, petition of Albert W. Lewis, Dorchester, Mass.; Frank W. Whitcher, president Massachusetts Chamber of Commerce, Cambridge, Mass.; American Thread Co.; and Kerr Mills, Fall River, Mass., strongly favoring daylight-saving plan; to the Committee on Interstate and Foreign Commerce.

Also, petition of James G. Lincoln, J. C. McCarthy, Smith Patterson Co., M. Finkovitch (Inc.), Broman, Dow & Co., all of Boston, Mass., and the National Retail Hardware Association, Argos, Ind., urging retention of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

Also, petition of the student body and faculty of Massachusetts State Normal School, Worcester, Mass., urging United States Senate to vote its approval and support of league of nations; to the Committee on Foreign Affairs.

By Mr. GARNER: Petition of members of rotary clubs of eighteenth district of State of Texas, proposing to establish a national bureau or department of mercantile marine and overseas transportation; to the Committee on the Merchant Marine and Fisheries.

By Mr. HOLLINGSWORTH: Petition of the chamber of commerce and H. D. Westfall, opposing repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: Petition of St. Patrick's Day convention, of San Francisco, demanding release of Shin Fein prisoners in English and Irish jails; to the Committee on Foreign Affairs.

By Mr. KENNEDY of Rhode Island: Resolution of the General Assembly of the State of Rhode Island, urging upon Congress the passage of legislation which will permit additional payments to all soldiers and sailors who have served in the war with Germany; to the Committee on Military Affairs.

By Mr. KING: Petition of O. B. Timberlake and 68 other citizens of Henry and Mercer Counties, Ill., protesting against daylight-saving bill and urging retention of old system as being more beneficial to farmers; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of George W. Bahlke, representing 40 employees, unanimously urging continuance of daylight-saving bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Chesapeake Iron Works, Baltimore, Md., opposing the pending appropriation of \$14,000,000 to continue the United States Employment Bureau; to the Committee on Appropriations.

Also, petition of the Federal Employees' Union No. 21, requesting passage of McKellar-Keating retirement bill; to the Committee on Labor.

Also, petition of the Baltimore Federation of Labor, Henry F. Browning, secretary, urging appropriations requested by Department of Labor for United States Employment Service; to the Committee on Appropriations.

Also, petition of Newcomer & Co., Baltimore, Md., approving House bill 18016, providing appropriation for literature for the blind; to the Committee on Appropriations.

Also, petition of J. M. Sheridan, jr., Baltimore, Md., relating to special-tax bill; to the Committee on Ways and Means.

Also, petition of Dr. J. H. M. Knox, jr., Baltimore, Md., urging defeat of Senate bill 2812 and Senate bill 1439; to the Committee on the Public Lands.

Also, petition of the War Camp Community Service, of Baltimore, urging appropriation for continuance of United States Employment Service; to the Committee on Appropriations.

Also, petition of G. A. Tschudy, Baltimore, Md., favoring Government ownership and control of railroads, telegraphs, and telephones; to the Committee on Interstate and Foreign Commerce.

Also, petition of McCormick & Co., T. Parkinson Mitchell, and Daniel Miller, all of Baltimore, Md., asking for continuance of daylight-saving law; to the Committee on Agriculture.

Also, petition of Brigham Hopkins Co., the Hub, Eisenberg's, A. A. Brager, National War Service Committee Dry Goods Stores, L. Slesinger & Son, Munch & Eisenbrey Co. (Chas. E. Allen, president), and Isaac Hambarger & Sons, all of Baltimore, Md., asking for repeal of luxury tax; to the Committee on Ways and Means.

Also, petition of Maryland and District of Columbia Retail Clothiers' Association, urging repeal of amendment 904 of revenue bill, pertaining to luxury tax; to the Committee on Ways and Means.

Also, petition of the Leader, Cohn Coblens Co., Baltimore, Md., urging joint resolution repealing luxury taxes as embodied in revenue bill; to the Committee on Ways and Means.

Also, petition of E. H. Norman, president Baltimore Business College, and the Private Business School Managers' Association of the United States, protesting against rider attached to agricultural appropriation bill which is to repeal daylight saving law; to the Committee on Agriculture.

Also, petition of Miss Alice J. Reilly and Armstrong Cator & Co., Baltimore, Md., disapproving of the daylight saving measure; to the Committee on Interstate and Foreign Commerce.

Also, petition of Swindell Bros., Baltimore, Md., urging that the daylight-saving measure be continued; to the Committee on Interstate and Foreign Commerce.

Also, petition of E. W. Bartol, superintendent of the Metropolitan Life Insurance Co., Baltimore, Md., indorsing Smith-Bankhead Americanization bill, H. R. 15402; to the Committee on Education.

By Mr. HENRY T. RAINEY: Petition of C. E. Bolin and 69 other citizens of Milton, Ill., favoring repeal of daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. SNELL: Petition of citizens of Ogdensburg, N. Y., protesting against the rider attached to the Agricultural appropriation bill to repeal the daylight-saving law; to the Committee on Agriculture.

By Mr. STINESS: Petition of the Providence Real Estate Dealers' Exchange, of Providence, R. I., protesting against any attempt to repeal the daylight-saving law; to the Committee on Agriculture.

Also, petition of the Chamber of Commerce of Providence, R. I., protesting against any attempt to repeal the daylight-saving law; to the Committee on Agriculture.

By Mr. TAYLOR of Colorado: Petition of the Plateau Valley Stock Growers' Association of Collbran, Colo., urging return of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON of Pennsylvania: Petition of the Sellersville Board of Trade, favoring a reasonable period to allow for the necessary preparation and adjustment by the owners of the great wire systems under Federal control; to the Committee on Interstate and Foreign Commerce.

SENATE.

SATURDAY, March 1, 1919.

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee with a profound sense of our dependence upon Thee. We are walking in the uncharted way, through paths that are new. We lift up our hearts to Thee for light, for wisdom, and for guidance. We pray that that which we do may have the sanction of the Divine will. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Fletcher	Jones, Wash.	Nelson
Brandegge	France	Kellogg	New
Calder	Gay	Kirby	Norris
Chamberlain	Gronna	Knox	Nugent
Culberson	Hale	La Follette	Overman
Cummins	Harding	Lodge	Owen
Curtis	Hardwick	McCumber	Page
Dillingham	Henderson	McKellar	Pittman
Fernald	Johnson, Cal.	Martin, Va.	Poindexter